

## CHAPTER TWO: DEVELOPMENTAL STATE

### OUR DEVELOPMENTAL LOCAL GOVERNMENT STATE

The White Paper states that local government must play a "developmental role" which is to take reasonable steps, within available resources, to ensure that all South Africans have access to adequate housing, health care, education, food, water and social security. Developmental local government means a local government committed to "work with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives". It should target especially those members and groups within communities that are most often marginalised or excluded, such as women, disabled people and very poor people, (White Paper, 1998).

ELM forms part of Local Government institution which is normally considered to be the sphere of government that is at the grass root level of communities at large. It is the most complicated sphere of government with many challenges and is the first institution to take the heat from the civil society regarding conduct of government (including national and provincial) matters and also bears price for problems caused by other government departments (i.e. Department of housing, social development, etc) which it has no control over in terms of the legislation. ELM runs its administration lead by the Municipal Manager Mr NJ Mdakane and Executive Council headed by the Mayor Cllr DCP Mazibuko. As such it must play a central role in representing communities, protecting their human rights and meeting their basic services (Department of Constitutional Development:1997).

The Powers and Functions as depicted in Schedule 4 and 5 of the South African Constitution (1996), which will serve as a guide in assessing the extent within which ELM as a local government has lived to the expectations of the civil society in delivering service using different implementation tools like the Integrated Development Plans (IDP).

#### RATING EMNAMBITHI LADYSMITH DEVELOPMENTAL STATUS

**Provision of household infrastructure and services :** this includes services such as water, sanitation, local roads, storm water drainage, refuse collection and electricity. Not only are these services a constitutional right but they can help people to support their families, find jobs and develop their skills to start their own small businesses;

**Creation of liveable integrated cities, town and rural areas:** Apartheid planning has left deep scars on the way our cities, towns and rural areas look. Cities and towns are racially segregated, with the poor often living in townships kilometres away from the business and industrial areas. The spatial integration of our settlements is critical. It will make our areas economically more efficient since it will be easier and cheaper to provide services, reduce the costs of public transport for workers, and enable social development. Spatial integration is also central to nation building;

**Local Economic Development:**

Local government can play an important role in promoting job creation and boosting the local economy. By providing good quality cost-effective services and by making the local area

a pleasant place to live and work in the municipality will have made a good start to sustainable local economic development;

Moreover this section will look on the status quo and future proposals that clearly distinguished ELM as a developmental government over and above what has been cited above.

**Financial Management:**

In line with the commitments that this Council has put forward to pave way in delivering on the core functions but also going beyond these expectations to excel in service delivery matters;

**Institutional stance:**

When the democratic government came into power it pronounced very strong the cooperation amongst all municipal and sector departments. This has been reaffirmed by the new Presidency who has emphasized the imperative need of cooperative government who all have a common denominator which is to improve the lives of the civil society;

**Good Governance:**

South Africa amongst other countries is highly proactive on implementing tools that ensures and compels all spheres of government to allow people to exercise their democratic right. Public participation was introduced and grew tremendously over the last decade. ELM is no exception to this kind of engagement where the public actively participate in local government matters;

What is of importance is that all these characteristics of developmental local government are operationalized within the Powers and Functions context. Because this Council is one of those municipalities that regards its image in a very prestige manner, it goes beyond the delivering in the core functions. For instance ELM also performs a function such as housing which is at the heart of the elements that improves quality of lives of people and yet it is not the core function of the municipality but provincial. A little has been done to devolve this function from provincial to local government and is always at the top of the list when civil society embark on industrial actions on non-response and poor service delivery. As a result of this there is contrary surrounding the exact department which deals with the issue of housing coupled with lack of effective communication between local and provincial governments (Human Sciences Research Council:2007:73). It is a general perception that municipalities end up seating with an amount of substantial amounts due to the poor performance of developers and interventions have been made by politicians both at a provincial and local level but due to the tripartite agreement such contracts it makes it difficult to terminate. Another challenge is that which seems to have become a trend is the escalating fee which is not claimed by the developers. The Water and Sanitation function was transferred to Uthukela District Municipality, to alleviate pressure from the municipality, however, the protest lately within our area of jurisdiction vindicates the challenges in terms of capacity that the municipality has.

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## 1. INSTITUTIONAL MATTERS

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This Council strongly subscribes to the notion that before it can live to the expectations of being a developmental local government it must first do analysis in its own internal state of affairs with a view to understand if the developmental mandate imposed by the constitution and the National directive upon sphere closest to people will be fulfilled. It is at this level that the municipality takes an internalised orientation which displays results and paves way for formulation of SMART Goals. Having observed good elements of Leadership in public management, this team of managers led by the municipal manager went on the vigorous exercise to identify and magnify into the problems that this municipality is experiencing. Within the similar context of exercise, managers identified areas of strengths and opportunities may be maximised to ensure that Council provides basic household infrastructure, present job opportunities in order for people to sustain their lives and develop skills. All these processes mentioned above require certain skills from low, middle to senior managers. This Council has a strict policy for recruitment and appointment of technical and senior staff since these are the people that will ensure that all projects proposed by Council are technically sound and accounted for. At the beginning, this document outlines the challenges that Councils face and is not intended to provide repetition within this key performance area, but will rather provide an overview. This document will now focus on the commitments that Council has designed for ease and improvement of operational standards. These are namely the following:

**“Foster Institutional Matters whilst Ensuring proper asset management of the entire municipality through various initiatives and according to standards approved by the Auditor General”**

### **GUIDING PRINCIPLES:**

- To value assets as the municipality;
- To register all assets of the municipality in the asset register
- To ensure that asset register is compliant with GRAP Standards;
- To update the asset register when and if required;
- To protect and develop our municipal resources be it physical, financial, human, information;
- To conserve and take pleasure in our natural resources so that generations in future can benefit;
- To intensify internal operating measures and level of standard;
- To enhance municipal operating system through Information Technology;
- To bridge the digital divide between communities;
- To render services according to the municipal service charter;

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### 1.1 HOW DO WE LIVE UP TO THE COMMITMENT?

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#### ACTION PLAN: A

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**Asset Register:** The AG Office has become very strict when it comes to assets of the municipality, with intentions to provide accountability and acknowledge assets that may depreciate whilst others gain value in time on the other hand. This helps ELM to manage its assets appropriately. As such Council developed an Asset register which is updated often. This register consists of movable and immovable property. On an annual basis budget is set aside to further improve on areas that had been identified by the AG on the previous assessment. Unfortunately ELM obtained a qualified audit report, which was not on the mismanagement of funds but rather on the technical aspect. A team has been put together to facilitate the ‘investment property’ which lead to qualification. To this end, through assistance of consultants, Council has managed to identify all the gaps that exist in the Asset Register and a tender has been advertised calling for the compilation of investment property. The internal team which consist of representatives from various departments will facilitate report and scrutinise the information submitted by Consultants. The guidance of AG will also be explored to verify if the information presented is in line and meets the expectations of AG. Future development of Council is guided by Spatial Development Framework, which is a legal and binding document which translates the content of the IDP and other national and provincial policies into spatial representations.

Similar to most municipalities ELM has very old fleet which results into high financing of maintenance. Recently, Council has bought new fleet with a view to reduce maintenance costs. Moreover, meaningful progress has been made



to ensure that the asset register is GRAP compliant. This register will go beyond being a compliant document but in future will also focus all the resources of Council, namely information, financial, physical as well as human. It is this same register that will also recognise and advocate conservation of natural resources over and environmental policies.

The register is widely spread out and is all encompassing. Furthermore, it will also focus on registering all servitudes of the municipality. This could be challenge as Council may not have all the layout plans showing all the underground services, such as electricity.

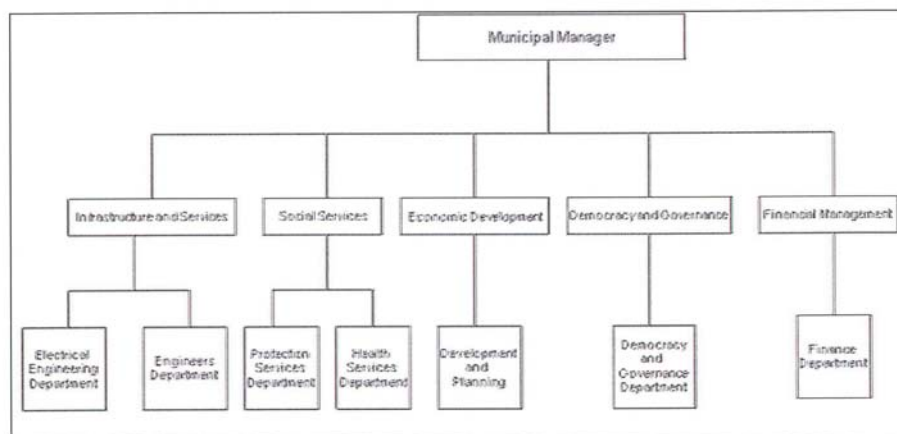
#### ACTION PLAN: B

**Organisational Organogram & Skills Retention:** The existing organogram was approved by Council in 2004 and was implemented soon after. However, there are positions on the organisational organogram that have been vacated. These important vacancies include the CFO and the Sec.57 Manager Infrastructure: Electrical. A lot of work has been done to try and fill these vacancies, in other instances interviews had been held but suitable candidates were unavailable. Whilst Council was still busy with the filling of the two vacancies competent staff was deployed to these positions to ensure continuity. These positions have now been filled and appointment letters will be sent shortly, since an item was sent to Council at the end of June 2010. Indeed there are other vacancies that are vacant within departmental organograms, some of which budget by finance has been set aside whilst others have no urgency to be filled. Posts such as Accountants have been vacant for a long (12 months & beyond) and no suitable candidates could be appointed when last advertised for the 3<sup>rd</sup> time. Applicants may be concerned about salary packages that ELM pay towards these skills. A Skills Retention Strategy was recently adopted by Council and Implementation thereof is underway.

The Organisational Organogram is under review and has not yet been presented to Council for approval. This review document acknowledges critical information such as development of succession plan which is not yet in place. With the implementation of this organogram, Council will soon develop a succession plan. Promotion, Recruitment & Selection policy which is in place regulates the recruitment and promotion processes of staff. This plan has been recently reviewed to ensure that it responds to the evolving circumstances. What is of importance is that Council does not deal with these issues in isolation, but rather advocate such important plans be as a result of the IDP. It is at this level of alignment that the municipal administration is able to allocate staff and coordinate all necessary resources to execute projects identified by the IDP. This have been proven lately, where i.e. additional building inspectors have been appointed and assigned specifically to deal with the quality of RDP Housing. Although ELM strives to appoint suitably qualified staff it also recognises the need to capacitate and improve on the skills of the current staff. When posts are vacated depending on the complexity of the job description, work is unbundled and distributed to various competent staff members to ensure efficiency and progression. Surely the skill and capacity building becomes central to this.

**Skills Development Plan:** As per SETA requirements, Council developed this plan and fully complies with it. So much so that a Skills Development Facilitator was appointed and currently execute all the responsibilities entrusted to him. Over and above that Council has set-up a training committee which sits on a monthly basis to discuss matter pertaining to staff training. In line with this plan Council also compiled a Workplace Skills Plan for 2010/11 and is implemented. The same plan is also submitted to SETA. It is within ambit of SDP that senior managers from various department identify lacking skills within their area of performance and submit the same to Corporate Services for all staff that requires training and the type of training. To vindicate the skills development plan, was during last year when Council approved full time study of one of the town planners to upgrade from a National Diploma to B-Tech in preparation of the new Planning and Development Act of 2008. This how skill is returned into the system where people trained by Council are compelled to serve the period equivalent to the money spent on them. One of the issues under consideration is the scarce skill allowance that needs to be paid towards all skills identified as scarce. This technical skill is very necessary to ensure that quality services that distinguishes the image of the municipality is preserved. Council is currently sending Senior Managers including Councillors of this municipality for training on courses such CPMD which are the national requirement. There is a lot of other courses that are also explored by officials of this municipality. Bursary Policy encourages, whilst at the same time regulates employees desiring advancing in their studies. Within skills development Council initiated appointment of unemployed graduates from different fields to serve in the employ of ELM, so that they can be acquainted with practical experience in their field of training. All the resources including mentorship are allocated to these graduates. Furthermore, Under the programme if internship, a lot of graduates are appointed along side with in-service training students. In this municipality skill is also built within job-creation programme which employs people for a maximum period of six months, unless if it may be extended or reabsorbed back into the municipal system.

**Job Evaluation:** As per the directive of SALGA Council is implementing the job evaluation results as of the 1<sup>st</sup> of July 2010. Dissatisfaction amongst staff regarding these results has emerged, since there are a lot of discrepancies and inconsistency prevailing in the outcome. The situation has been exacerbated in the absence of final municipal grading. This leaves staff with difficulty to compare the same salaries with other municipalities. This may to a certain extent affect the appeal procedure.



#### ACTION PLAN: C

**Internal Auditing:** All managers have acknowledged the role and responsibilities of a good functioning audit committee. The directive from the office of the municipal manager is that, audit section should be very pro-active in all affairs of Council and be able to forecast queries that may be identified by the AG and propose mitigation measures even before the office of the AG. Strengthening the internal audit has prompted advertisement of a Chief Internal Auditor who will design and guide future operational measures of this Council. Moreover, the Internal Audit Charter has been reviewed lately and approved by Council. Initially the Audit Committee would meet once a quarter, but this has changed and now seat once every month. Auditors also form part of the oversight committee which looks on annual report. Immediately after the AG report this committee drew up an action list to facilitate with managers to address the queries of AG. This action plan is also submitted to Municipal Managers Committee as a reminder and a requirement to comply with the AG directives. This management team also take into account concerns that the MEC for COGTA raises on each year's IDP assessment. Consensus was reached amongst official and politicians that MEC's report will amongst, other be the foundation of next IDP review.

**IGR Structures:** ELM has identified through the SWOT analysis exercise the poor communication between sector departments to be a challenge. Currently ELM and Sector Departments will only meet to discuss Review and the extent of implementation of IDP. The ward committees also do the same to cascade the information from the public to sector departments within the context of IDP. However, there has been an attempt by ELM to formulate an IGR Structure and unfortunately District and ELM could not reach consensus on certain pertinent issues.

#### ACTION PLAN: D

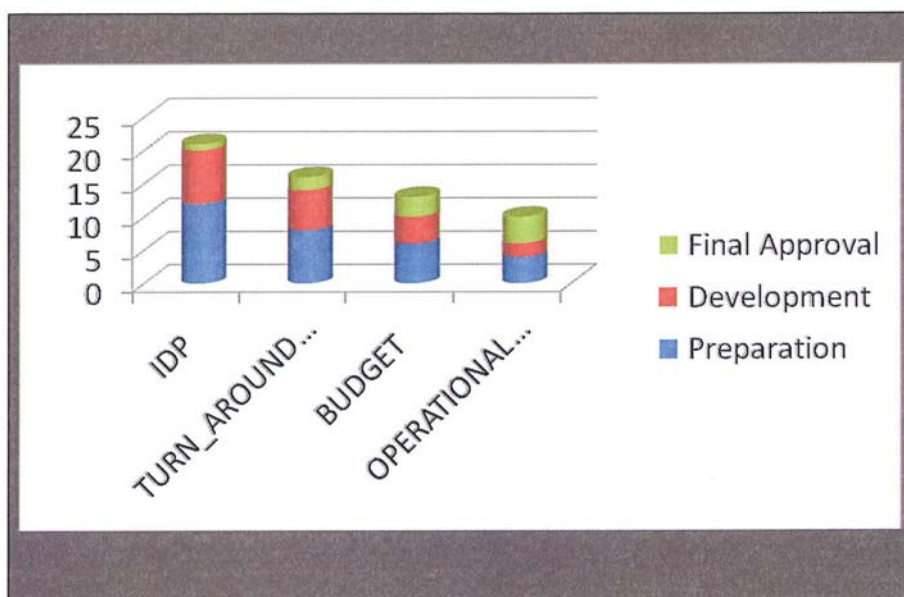
**LGTAS:** Substantial amount of work has been done in preparing ELM to implement TAS which is aimed at making this Council more efficient and responsive to civil society's concerns using the available limited resources. The work involves SWOT analysis exercise with an intention to consider 'quick wins' that can be implemented prior 2011 and as well as those that will be undertaken post 2011. Although this Council has always been geared to running a clean government informed by principles of good public management and respecting people rights whilst delivering services that will improve the quality of life, it has identified certain flaws, which some of them are outside powers and functions, but yet at the core of IDP implementation. To this end Managers have submitted the key priorities that must be established prior 2011. These projects are based on the capacity to undertake these projects and finalise within 2011 as well as the most pressing areas in each department. Key projects pre2011 include establishment of a Testing Station to respond speedily to issuing of licences, establishment of mini-parks in at least 8 rural wards, considering that in 2009/10 financial year 7 mini-parks were established in townships; partial development of agri-processing hub by the LED unit. As part of TAS it has appeared that, there are certain policies developed and approved by this Council on institutional issues which are not yet implemented. Another important issue in this regard is staff complement to deal with Municipal



IT issues. Currently departments are very concerned about the turnaround times of the IT Section, but yet acknowledging the capacity constraints in terms of staff complement in this section. The spread of virus between computers, which has caused lost of important files poses as serious threat to this Council, since it means that projects are delayed and so on. At the same time Council has make means that it does not loose the very same staff in the IT Section, which could be a disaster. The salary packages attached to IT positions when advertised have proven numerously that this Council is suffering from attracting suitable staff. This should be one of the projects under turnaround strategy umbrella before or after 2011.

#### ACTION PLAN: E

**OPMS:** Organisational Performance Management emanates from the IDP and its implementation in ELM has been very successful. To demonstrate that this Council considers the commitment mentioned above, it has built staff capacity in the OPMS Unit, from 1 person to seven employees. Performance agreements are not only restricted to Sec.57 Employees, but now also cover Level 1-6 employees. The clear alignment from IDP-BUDGET-LGTAS-OPMS has been over emphasised by this Council. This alignment is evident when considering the fact that operational plans are formulated on the basis on the programmes and projects stated in the IDP. The same applies for the Key Performance Indicators. Not only is the PMS dealt with as a central function, but over and above that, Heads of Departments receive on a weekly basis plans that address all matters of the upcoming week. It has gone to an extent of strictly controlling the movement of staff between offices and the field. All necessary committees such as Performance Audit is in place. SDBIP for each financial year is developed and well managed by the same office. SDBIP over the years has been refined from being merely a financial progress report, but now also include identification of stumbling blocks that are delaying projects from completing within the specified time lines. Previously Council did not have an organisational score-card but as the Office of PMS was given staff support, this has been overcome. The team at the PMS Office has recently developed risk management for each section in 7 Department of the municipality.



ELM over and above the constitutional mandate but also conducts its business according to the THE SERVICE CHARTER DEVELOPED IN 2007. The public, when raises concerns with Council on non-response on issues always use this Charter and as ammunition to compel municipality to account.

1. **Consultation:** Citizens should be consulted about the level and quality of public service they receive, and where possible, should be given a choice about the services, which are provided.
2. **Service Standards:** Citizens should know what standard of service to expect.
3. **Access:** All citizens should have equal access to the services to which they are entitled.
4. **Courtesy:** Citizens should be treated with courtesy and consideration
5. **Information:** Citizens should be given full and accurate information about the public services they are entitled to receive.
6. **Openness and Transparency:** Citizen should know how departments are run, how resources are spent, and who is in charge of particular services.
7. **Redress:** If the compromised standard of service is not delivered, citizens should be offered an apology, a full explanation and a speedy and effective remedy, and when complaints are made citizens should receive a sympathetic, positive response.
8. **Value-for-Money:** Public services should be provided economically and efficiently in order to give citizens the best possible value-for-money.
9. **Encouraging Innovation and Rewarding Excellence:** That the Municipality will ensure that environment conducive to the delivery of service excellence is created, to enhance the capacity of their personnel to deliver good service.
10. **Service Delivery Impact:** To regular assess the service Delivery outcomes through our Performance Management Systems and Community involvement.

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## DEPARTMENT OF GOVERNANCE AND TRANSFORMATION

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### Key Performance Areas:

- All slum areas (Informal Dwellings) be eradicated by 2010 and that the Municipality ensure that programmes to deal with this matter be instituted by 2007.
- Interim valuations of new sub-divisions, new buildings, alterations and additions to buildings, updating of ownership
- Development and promotion of tourism
- Upgrade of community facilities
- Support constituents
- Promotion of libraries in rural areas

Description	Time Frame		
Annual Grants-in-Aid Applications (when cash flow allows)	2 months from closing date	Signing of contracts, Subdivision applications	21 days
Ad-hoc Grants-in-Aid applications (when cash flow allows)	30 days from receipt of application by responsible official	Cancellations	60 days
Grants-in-Aid applications (when cash flow do not allow)	2 days from receipt of application by responsible official	Items to MCM/ Portfolio/ EXCO/ Council Meetings	5 days
Completion of departmental related questionnaires	3 weeks	Requests for pauper burials, Issuing of Title Deeds, Opening account for land sale & housing, Valuation certificates	Same day
Compilation, Printing and Distribution of agenda	3 days (Minimum)	Housing development	Ongoing
Period from any meeting to distribution of minutes	5 working days	Sale of not readily available land	24 months
Execution of EXCO and Council resolutions	2 days after receipt of minutes	Settlement figures	4 days
By laws & Tariffs of Charge – Advertisements in local newspapers & submission to Province for promulgations	6-8 weeks after Council's approval. Objections received will cause delay	Sale of readily available land	90 days
By laws – General queries	1-2 days	Requests for transfer	30 days
Period from receipt of invoices to submission for payment to Department Finance	14 days	Special requests (books, audio visual material)	2 weeks
General public enquiries received telephonically or in person	Same day	Bookings of Activities Room	Immediately
General public enquiries received in writing	Immediately to 1 month depending on Council's meetings, if applicable	Application for library membership	24 hours
Contracts – Finalisation of rental agreements, advertising and general queries i.r.o. contracts	6-8 weeks	Issue of discharge of library material	Immediately
Answering of switchboard calls from public	3 seconds	Written enquiries for bookings	7 days
Sale of houses in terms of DBS, Substitutions, Interim valuations	14 days	Period from hire of venue to application for refunds to Department Finance	14 days
		Provision of facilities. (if available)	Immediately
		Availability – cleaning	1-4 hours
		Daily tourism information	Immediately
		Telephonic & personal enquiries on museum related issues	Immediately to 7 days
		Written enquiries on museum related issues	Acknowledge receipt within 7 days – full reply within 14 days

## DEPARTMENT OF ECONOMIC DEVELOPMENT

### Key Performance Areas

#### Social Development

Land Tenure/Ownership  
Provide efficient and effective solid waste removal  
Promotion of a clean and health environment

#### Economic development and Planning

Local Economic Development  
Agriculture  
Industrial and Commercial Expansion and Retention  
Job Creation and Poverty alleviation  
SMME development  
Spatial Development Framework  
Environmental and Land use Management

#### Institutional development

Integrated development plan  
Establish GIS Section

#### TURN-AROUND TIME

Description	Time Frame
Neglect in removal of refuse	1 hour
Removal of dead animals	1 hour
Clearance of litter	2 hours
Clearance of conservancy tanks and pit latrines, illegal dumping, pollution (smell, smoke)	2 days
Miscellaneous problems	10 days
Dog, poultry nuisance	15 days
Untidy/dirty premises	5-15 days
Clearance of overgrowth (municipal owned), removal of illegal dumping (garden refuse), cleaning of storm water drains, miscellaneous problems	10 days
Stray animals (cattle, goats, etc.)	1 hour
Written enquiries received	Within 7 days
Personal visits and enquiries	Immediately
Assistance on request from existing industrialists	Within 24 hours
Contravention of Town Planning Scheme	45 days
Special Consent	65 days
Rezoning	85 days

## DEPARTMENT OF FINANCE

### Key Performance Areas

- To ensure maximum collection of revenue due to the Municipality
- Provide an appropriate acceptable standard of services to the consumers at our rate payment areas
- Ensure the timeous and accurate delivery of accounts to consumers
- Ensure the timeous payment of creditors and cash flow management
- Ensure that staff are adequately equipped to perform their functions by providing training;
- Promote the principles of the MFMA and ensure its implementation compliance
- Promote ongoing financial stability
- Proactively manage debtor collection to levels to reduce debt owed to the municipality

#### TURN-AROUND TIME

Description	Time Frame
Telephone	2 weeks
Written enquiries	14 days
Council	Daily
Receipt of cash, cheques, direct deposits	Immediately
Payment of creditors	30 days
Claims	30 days

### Key Performances:

- The finalization and approval of organisational restructuring.
- The placement of staff.
- The completion of the Job Evaluation Exercise and the implementation of the job evaluation results.
- The implementation of employment equity in the first level of management.
- The training of staff in terms of the Skills Development Plan to improve productivity.

### Turn Around Time



Description	Time Frame
Purchase requisitions, Subsistence & Travelling claims, Leave files	Daily
Refunds, Cash takings	Weekly
Monitoring of paper used, Monitoring and issuing of face value stationery	Monthly
Line item investigations, Service account investigations	Daily
Preparation of: Overtime reports, Leave and sick leave reports, Internal Audit report	Monthly
Attending and monitoring tenders, pound sales	Monthly
Verification of: Electricity Error Report, Monitoring of Interims, Credits, Debits, RD Journals and Tax Invoices, Verification of Creditors Run & Reconciliation, Bulk Diesel, Automatic Indigent Journals, Application Indigent Journals, Electricity Connections/disconnections	Monthly
Deceased/Retired/Resignations of employees	Monthly
Salary run, ACB Salaries & Housing, Trial run for services, Petty cash counts	Monthly
Special Audits	Ongoing
Departmental Audits	6-8 weeks
Stock count, Rates Assessment	Annually
Compile & update employment equity statistics	Monthly
Submit Employment Equity report to the Department of Labour	Annually

## DEPARTMENT OF ENGINEERING SERVICES

- Construction of New Tarred Roads
- Construction of New Gravel Roads
- Rehabilitation of Tarred Roads including base failures, potholes, sealing overlays, etc.
- Rehabilitation of Gravel Roads including re-gravelling, etc.
- Urban Stormwater Rehabilitation
- Rural Stormwater Rehabilitation
- Construction of new sidewalks
- Rehabilitation of existing sidewalks
- Job Creation/Skills Development in terms of the Expanded Public Works Programme
- Construction of Low Water Crossing, Pedestrian Bridges, Vehicular Bridges
- Approval of Building Plans and Inspection
- Construction of Taxi Ranks and Bus Shelters

### TURN-AROUND TIME

Description	Time Frame
Potholes	5 days
Base failures	15 days
Sidewalks	15 days
Road construction – urban (New)	IDP/Budget meeting
grading construction – rural	As per Approved Program/2km per month
Grading of gravel roads	30 days
Miscellaneous problems – town/urban	15 days from date of reporting
Non-maintenance issues	Budget meeting
Stormwater problems, kerb & channel repairs, sidewalk repairs, repairs to buildings, repairs to culverts & barriers, construction of new scoops and gutter	30 days
Miscellaneous – urban	30 days
Non-maintenance issues	Budget Meeting
Approval of building plans, urban aesthetics	30 days from date of submission
Building inspections for construction/Low Cost Housing	5 days from date of notice
Miscellaneous	15 days

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## ELECTRICAL SERVICES DEPARTMENT

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### The Key Performances:

- To address the backlogs for electrification projects.
- To target more indigent consumers and increase Free Basic Electricity to these consumers.

### TURN-AROUND TIME

Description	Time Frame
Processing of service applications where already infrastructure exists - New supplies, Upgrading of existing supplies	5 days
Processing of service applications where no infrastructure exists - New supplies	1 month or period agreed upon by applicant and licensee
Reading of credit meters	Monthly
Disconnections for non-payment	At least 14 days after due date for payment of account
Notice period of impending disconnection – commercial and industrial customers	24 hours
Reconnections	No later than 1 <sup>st</sup> working day after account has been settled
Account queries in person or telephonically	3 working days
Account queries in writing	5 working days
Meter Accuracy Queries	15 working days from receipt of prescribed fee
Restoration time after forced interruptions	Max 1 day
Notification of planned interruptions	At least 48 hours prior to interruption
Telephone answering response	10-15 seconds
Street lighting – restore	Max 5 working days from receipt of complaint

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## OFFICE OF THE MAYOR

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### TURN AROUND TIMES

Description	Time Frame
Request for Mayoral appointments	Immediately to 24 hours
Written enquiries directed to Mayor	Acknowledge receipt immediately, follow-up letters on receipt of comments from Managers
Personal enquiries and visits	Immediately
Mayoral invitations received	Depending on nature of invitation, reply within RSVP date
Organizing of Sport Activities	Annual Program
Youth, Gender and People with disabilities Development Issues	On-going

**LGTAS Conti.:** With the above demonstrations ELM is of the opinion that it has managed to live up to the expectation of Institutional transformation i.e. senior managers reporting directly to the MM out of seven consist of five representing the demographics of South Africa. More efforts will be put in place to recruit senior female managers in future as this is the concern, even though the senior legal adviser who also forms part of the MM's Management team is a female. Whilst this Council is grateful for the amount work done so far it also acknowledges the short comings in this KPA and aspires to be a developmental local government that is exemplary in the KZN Region. Furthermore, the section of this document that covers Projects will elaborate on the projects that are going to be introduced to assist in meeting the goals of our developmental state.

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## 2. FINANCIAL MANAGEMENT

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This KPA aims to ensure that projects identified on the IDP are financed so that lives of the citizens is improved, staff that performs municipal responsibilities is remunerated appropriately, also to provide resources to these staff members in order to ensure continuity in the business of Council. Finance plays a very important role in this municipality because it balances our income with the expenditure and ensures that Council does not run insolvent. It ran by a very strict manager who has the back-up of the Accounting Officer. The message from the office of the MM is very clear, that which is reduction of expenditure as much as possible, whilst increasing the magnitude to collect income. Similar to all municipality there is a large proportion of money that is owed to this Council and support has been given to the Legal section to exhaust all measures in collecting money due to us. Following is the financial commitment of Council:

**“Provide an efficient and effective financial and consultancy service to Management to assist in enabling them to effectively manage the process of delivering services in a transparent, sustainable and cost effective manner, thus contributing to improving the quality of life to the community of Emnambithi/Ladysmith.”**

### GUIDING PRINCIPLES:

- To run this municipality with financial integrity;
- To account for all monies and expenditure of this Municipality;
- To expand the municipal rate base as a source of income;
- To collect all monies due to Council which will increase the budget;
- To provide budget that is sound, balanced, responding to IDP priorities ;
- To conduct financial matters according to Standards prescribed by the National Treasury;
- To strengthen all internal operating system to address queries and opinions of the Auditor General;
- To strive to obtain a clean Audit Report;
- To give all necessary support to internal Auditors;

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### 2.1 HOW DO WE LIVE UP TO THIS COMMITMENT

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#### ACTION PLAN: A

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**Financial Plan:** This is the plan that guides budgets for the municipality and is designed in such a way that it recognises the 3-year period. It is done according to the standards of MSA. To complement this plan Council put in place numerous policies such as Supply Chain Management; Cash Management; Investment; Credit Control; Tariffs; Rates Policy. To this end all policies that affect the financial matters of this Council are in place. As mentioned above that expenditure is avoided to great extent since the economic global melt-down. However, to counter for this crisis, Council has a surplus of R30M which has not been spent and will be spent this financial and beyond. Council is avoids to solicit loans from the banks which will accrue interest that may restrict our expenditure even further.

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#### ACTION PLAN: B

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**Expenditure:** What has been a challenge lately in this Council is the expenditure on grants, which has resulted in the municipal manager giving a strong directive to heads of Departments to submit plans on reflecting how the unspent grants will be spent before the end of this financial year. All managers have submitted particularly those that contain large proportion of grants such Electricity and housing. Capital Projects that are funded internally and should be completed this year financial year are virtually complete. The capital budget for establishment of parks was finished last year December already. For an



example the Council received a Small Town Rehabilitation Grant from Province last for landscaping, pavements in the CBD, Midblock parking. All these projects are 90% complete. What is important to note in this case is that Officials do not give impossible figures and commitment to spend own capital budget within a specific financial year it won't meet the target.

Management of expenditure is through monthly reports that are submitted to the management and such the Office of the MM issued a directive that expenditure per dept.be restricted to only R50 thousand a month, with an exception of KEY depts. such as electricity and Fleet Section. The PMU Section located in the Dept. Of Engineering submits progress reports on all projects that are either grant or internally funded. 100% of the budget said to be spent this financial year ending in June has been achieved for all projects, with an exception of the Testing Grounds and Expansions of the Municipality's Main Building. The extension of municipal offices is 10% complete and budget has been set aside for the next financial year. Testing grounds has experienced a major set back regarding land ownership, since the property desired is owned by Transnet. Discussions between Council and Transnet are underway and should finalised before the end of June.

#### ACTION PLAN: C

**Revenue Management:** The billing system of ELM is very efficient. All customers are issued with statements within reasonable times to pay for rates and electricity. Statements are generated through the SAMRAS and receipts issued on payment have been improved substantially. This billing system is improved continuously to ensure client satisfaction.

#### ACTION PLAN: D

**Property Rates:** This municipality was one the few that implemented the property rates Act in 2008. To this far 7<sup>th</sup> Supplementary Val Role has been produced.

#### ACTION PLAN: E

**Debt Recovery plan:** Council holds weekly meetings with all the HOD to debate, engage and provide solutions to recovery of debt that is being owed to Council. Legal Department of this Council make weekly submissions to this committee regarding progress made to recovering monies of Council. The exercise has gone to an extent of attaching people's properties i.e. housing should they fail to make arrangements on how to pay the debt. This is a vigorous campaign by Council which says, if we receive the monies owed Council will be in position to provide basic services to rural areas. The target is to collect 6M financial year, of which for the last two years achievements were exceed the target set. In 2008/9 approximately 7M was collected. 5.5 M has been collected for this financial year only. Debt which is unrecoverable and is less R5 thousand MM has delegated powers to cancel.

#### ACTION PLAN: F

**IDP/BUDGET/PMS/LGTAS:** The issue of alignment between all these Council plans is central to functioning of the Municipality. Budget is influenced by the IDP, which is why over and the advertising for public comments, but the budget is taken to all the wards in the municipality to advise how much will be spent in that particular area. Operational plans such as SDBIP's are developed to express expenditure together with progress made to date on individual projects.

#### ACTION PLAN: G

**AG Report:** As mentioned above that this Council for the last 3 years with and exception of last obtained a obtained unqualified reports. Council was qualified on the technical aspect which was the 'Investment Property' and NOT on the mismanagement of funds and so on. Property is investment was not acknowledged as such on the Asset Register and even the response given by management did not satisfy the AG. Consultants have completed the GAP analysis exercise on the Asset Register and identified a lot of areas that needs to be addressed and highlighting those of priority. Not all these areas such as a Sills audit will be completed before the next assessment of AG. Meaningful progress has been made this far to address AG queries.

#### ACTION PLAN: H

**TAS:** As part of ensuring that there is continuation in the Regeneration of the CBD, finance must consider relaxing rates for property owners that are revamping their buildings and complying with this strategies of the Municipality for Revitalising Urban Centres as engines of the town. In line with collection of rates, Finance Department should also consider billing properties where flats are located since they generate money for owners

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### 3. GOOD GOVERNANCE

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“Advocate Cooperative Governance with a view to realise the strength of integrated planning”

**GUIDING PRINCIPLES:**

- To contextualise the meaning of “*DEVELOPMENTAL GOVERNMENT*” within the local area;
- To take local government to the people on the ground including poorest of the poor;
- To reaffirm the standards of good public management and run municipality with integrity;
- To implement national political directives;
- To account for all decision making process undertaken within the municipality;
- To move all frontiers serve to divide society with a view to bring social equity;
- To ensure that the voice of the marginalised within the society is heard;
- To foster cooperative governance across all sectors of government;
- To run a clean government that is responsive to people's need;
- To respect the rule of Law to be superior;

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#### 3.1 HOW DO WE LIVE UP TO THIS COMMITMENT

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**ACTION PLAN: A**

**Public Participation:** This has become core to all municipal affairs. It is informed by good public management standards. During development of this IDP, community participated from giving input on the Process Plan till so far. Over and above that community workshops were held for two consecutive months from January to February. Service delivery and projects vary with different wards. Other wards have been improved and substantial funding has been spent whilst others experience a slow pace of development. In this case the challenge that Council always face is how to implement a balance development without sacrificing other wards and this shows the direct competition between limited resources. Indeed it was uncovered that those wards with minimal development, community would be very restless and unhappy about the pace of development. As opposed to experiencing concerns from the rural areas which are usually at the receiving end of everything, the youth from the townships was greatly concerned that there are not job opportunities available for them. The situation was exacerbated by the economic melt-down. Public participation on the IDP was difficult in certain instances as officials dealt with annoyed community who see no reason to participate as they have gradually lost confidence in the municipality. Nonetheless, the participation process proceeds and public also comment on the budget of the municipality

**ACTION PLAN: B**

**Ward Committees:** Functioning of ward committees has been satisfactory so far. Committees are continuously given necessary tools to perform their duties. Lately, all 180 ward committee members have been given cell phones with airtime. A draft framework is also in place and was submitted to EXCO in the month of march who suggested changes and that the framework be submitted to Council for adoption. The members of the committee also facilitate information with sector department on the



development and implementation of the IDP. They submit weekly reports to the Office of the Speaker who closely manage the committee. Not only is the scope of participation on the IDP limited to these, but also all the stakeholders such as sporting bodies, Chambers of Commerce's, NGO, Traditional leaders as well. With the implementation of Property Rates Act, the input of traditional leaders has become very significant, similarly to the Spatial Development Framework. In put from Traditional leaders has been commended where they are also interested to see the vacant lands in rural areas being developed.

Community engagement with some of the property owners in rural areas has been amazing because it emerged from the process that there is willingness to sell their land and had asked specifically that the SDF identify suitable development that must undertaken in these areas. This is a new paradigm shift on the ideology of the land owners in rural area and traditionally led areas. The individual projects proposed by the municipality such as the shopping complex along Helpmekar's have been individually communicated with the public who appealed that people in those particular areas benefit from such.

It is interesting to observe that senior managers of the municipality have abolish the thought of treating IDP as a one man stance being the IDP Manager. Managers are now responsible to lead on their respective Key Performance Areas. This approach has been greatly welcomed and has since ensured that there is improvement on the IDP. As such managers are expected to complete their submissions in addressing the concerns of the MEC: COGTA rose the last assessment year. Similarly with the Audit report, where the AG raised issues that are not the core functions of the Finance Department since they are very technical. Since the Audit Committee seats every month, all these reports are duplicated and need to be accounted for. The audit committee has stipulated timeframes within which all corrective measures must be in place.

#### ACTION PLAN: C

**Council Meetings:** Council has become very strict to advertise Council meetings prior to seating's in the local newspaper so that interested parties can attend. Council seats once as month whilst EXCO seats twice. The mayor chairs EXCO and Spear the Council. The standing rules of Councillors are always implemented and guide conduct thereof. There are other committees that seat in addition to EXCO& Council. This involve Management Committee which holds 52 meetings at the most a year; Museum Advisory Committee which has not managed to seat in the last financial year; Audit Committee holds 12 meetings a year; Local Labour Forum with 6 meetings a year; Community Tourism Organisation with 5 meetings a year; LED Forum-4 times a year; IDP forum sat once last year; Performance Audit Committee- 4 times a year and the established MFA Steering Committee which did not managed to sit last year. Council has always submitted annual report and financial statements within timeframes; Youth, Gender and Disabled which is facilitated in the office of the mayor holds four meetings a year. The mayor is very passionate about this Committee and has given directive that this information must filter into the administration; Sports and Recreation also in the office of the Mayor; Public Safety and Health Portfolio seats once in two months; Public accounts is another vocal committee that leaves no stones unturned in finance dept; Inter-departmental meeting consisting of key technician of the municipality seats every week before items are presented to management committee; this team has become very profound as it can forecast problems before they arise.

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## 4. LOCAL ECONOMIC DEVELOPMENT

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**“Develop a people focused and cost effective environment while addressing unemployment and poverty through promotion of agriculture, commercial and industrial productivity, education, skills development, tourism and conservation”**

### **GUIDING PRINCIPLES:**

- To promote skills development within our society as a whole;
- To ensure economic growth by bringing and sustaining investment within our region and creating an enabling environment;
- To promote Broad-Based Black Economic Entrepreneurship;
- To alleviate poverty through initiatives that target vigorously pockets of areas that are still trapped in the pool of poverty within the municipal area;
- To boost investor confidence through several initiatives;
- To bridge the gap between the first and the second economy;
- To trap and ensure that the economy made in our area does not escape this region;

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### 4.1 HOW DO WE LIVE UP TO THIS COMMITMENT

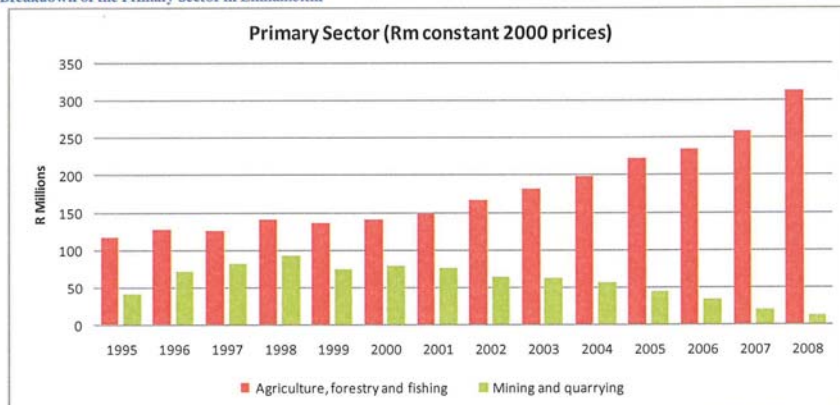
#### ACTION PLAN: A

According to the NSDP, ELM contributes a fair amount of 0.2% on the Country's National GVA whilst identified as one of the Functional Urban Areas with South Africa. The economies of ELM will in the medium to long-term face some challenges as it is reported that this area is one of those that are affected by the highest loss in population through HIV and AIDS. On the other hand it appears that ELM amongst other towns' relatively high increase in unemployment. The NSDP goes further to project that at least by 2010 ELM will experience a high GVA.

Council at its meeting held in 2004 adopted its economic development strategy funded by the DBSA consisting of Agricultural Plan, LED Plan and Tourism Plan. The strategy is in line with the District Growth Development Strategy as well as Provincial Growth Development Strategy. The LED Strategy which was last developed in 2005 is under review and is expected to be finalised before the end of June this year.

Indicated below is a breakdown of the primary sector into its components, namely, agriculture, forestry and fishing; and mining and quarrying:

Graph 6: Breakdown of the Primary Sector in Emnambithi



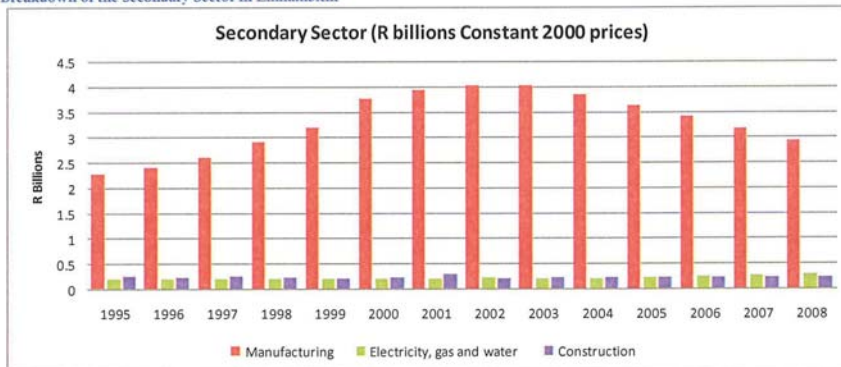
Source: Quantec Database & Urban-Econ (2010)

Agriculture, forestry and fishing (although fishing would not be included) has grown substantially since 2001, contributing 96% to total primary sector output in 2008, with a value of approximately R314 million. This sector has experienced an average annual growth rate of 11% between 2001 and 2008, which indicates the potential to enhance this sector.

Mining and Quarrying has declined considerably since 1998 due to the decline in the coal mining industry in that region, down from a contribution of R93 million in 1998, to approximately R13 million in 2008.

Graph 4 below displays the contribution of each of the sectors within the secondary sector:

Graph 7: Breakdown of the Secondary Sector in Emnambithi



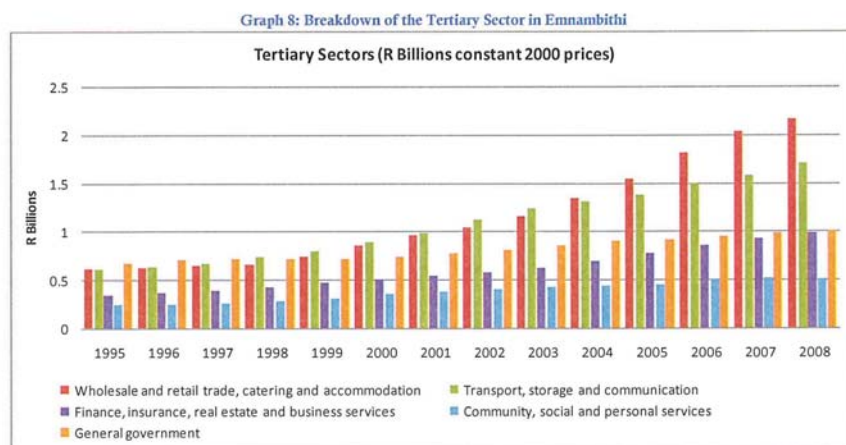
Source: Quantec Database & Urban-Econ (2010)

Most notable is the decline in the manufacturing industry since 2001/2002, with an average annual growth rate of -4% since 2001. Due to the large contribution of manufacturing to the total secondary sector production output values, this confirms why there has been a decline in the entire secondary sector since 2001. Manufacturing has decreased from approximately R4 billion in 2002 to approximately R2.9 billion in 2008, and is a sign of concern given that it is the single largest contributor to the entire Emnambithi local economy.



In terms of electricity, gas and water, production output has increased from approximately R200 million in 1998, to about R300 million in 2008. The construction industry has declined from its high of R306 million in 2001 to about R234 million in 2008.

Graph below displays the breakdown of the tertiary sector into its main sectors:



The dramatic increase in the total tertiary sector's production output which was discussed previously can be attributed to high growth in the wholesale, retail, catering and accommodation sector, as well as the transport, storage and communications sector. These sectors grew at an annual growth rate of 12% and 8% respectively since 2001, to an output of approximately R2.1 billion and R1.7 billion in 2008 respectively, with wholesale, retail, catering and accommodation almost overtaking manufacturing as the largest contributor to the Emnambithi local economy.

There has also been substantial growth in the finance, insurance, real estate and business services sector, reaching an output contribution of approximately R980 million in 2008. This indicates an average annual growth rate of 9% since 2001. Community, social and personal services, as well as general government services has both experienced average growth of between 4 and 5% since 2001, contributing R500 million and R1 billion to total output in 2008 respectively.

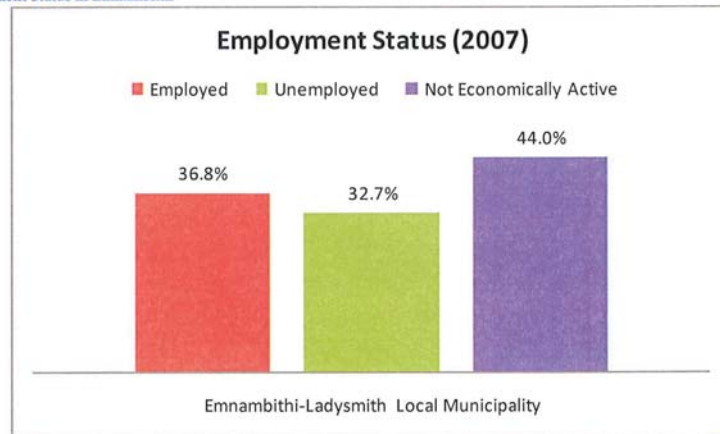
In conclusion, the above sector analysis identifies the sectors that have experienced substantial growth in the past few years, as well as those sectors that have declined but have the potential to grow in the medium to long-run.

Wholesale, retail, catering & accommodation; agriculture, fishing & forestry; finance, insurance, real estate and business services; and transport, storage & communications and are sectors which have shown the most positive growth, while sectors such as manufacturing have declined substantially, and need to be supported to enhance its growth prospects, as it is currently the largest contributing sector in the local economy.

### 2.3 Employment

In 2007, 146288 people were eligible for employment (15-64 years old). Of these people, 36.8% were employed, 32.7% were unemployed, and 44% were not economically active. Graph 6 below displays the breakdown of employment in Emnambithi/Ladysmith in 2007:

Graph 9: Employment Status in Ennambithi



Source: Quantec Database & Urban-Econ (2010)

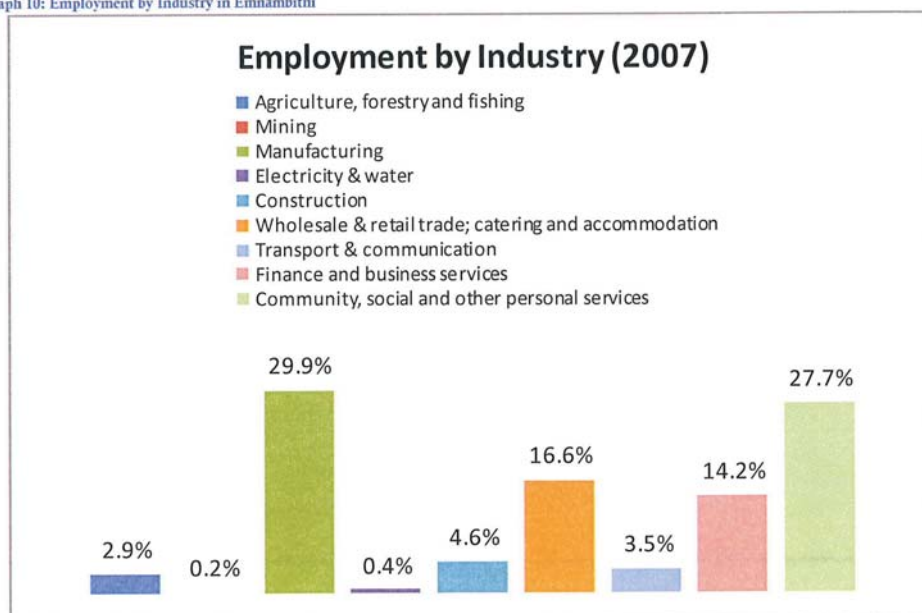
This indicates that there is a large portion of the population that have either been discouraged from seeking work, or who are under or over the working age.

This is consistent with the age distribution presented earlier which indicates that a large portion of the population is under the age of 19 years, with only a small contribution from the working age brackets. Of those who were employed (53510 people), 79.3% were employed in the formal sector and 20.7% were employed in the informal sector.

Therefore, projects and programmes need to focus on stimulating the sectors that create the most employment. Project and programmes should also focus on providing support and training for informal businesses, as a significant portion of the employed population fall within the informal sector.

The graph below displays the breakdown of formal employment into the respective industry:

Graph 10: Employment by Industry in Ennambithi



Source: Quantec Database & Urban-Econ (2010)

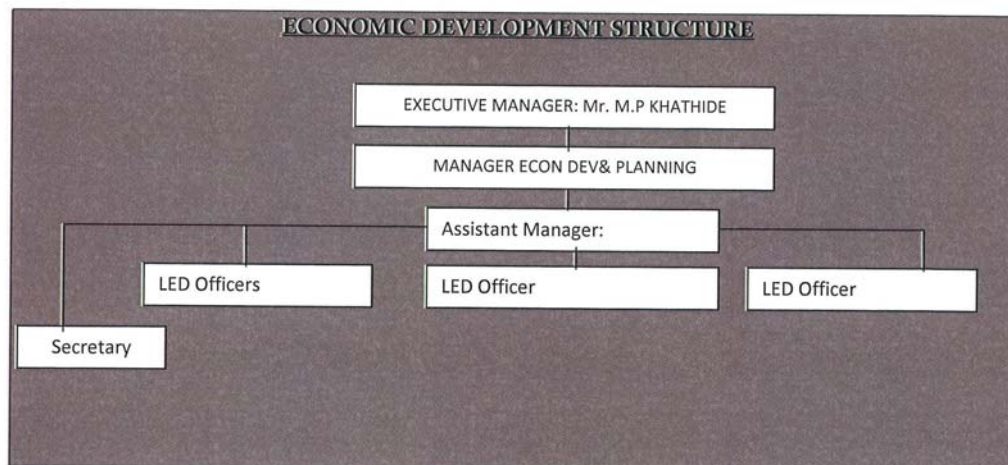
The manufacturing industry is the largest contributor to employment hiring 29.9% of the formally employed, while community, social and other personal services contributes 27.7% to total formal employment.

Wholesale, retail, trade and accommodation contribute 16.6% to formal employment, with finance and business services contribute 14.2%. Other sectors such as construction, agriculture, forestry and fishing, and transport and communications all contribute below 5% to total formal employment.

The Manufacturing Sector Strategy will provide a more in-depth analysis of employment in the manufacturing sector, breaking down this sector into its core sub-sectors. It will also provide an assessment into the critical components of the manufacturing sector that create substantial levels of employment and contribute to growth and economic development in the Ennambithi/Ladysmith local economy.

For the purpose of the LED Strategy review, it is important to note the above mentioned sectors that make the greatest contribution to formal employment, namely manufacturing; wholesale, retail, catering and accommodation; and community, social and other personal services, as these sectors need to be strengthened to assist in accelerating employment creation.





Alignment with the Economic Development Strategy and the National Spatial Development Perspective  
 The National Spatial Development Perspective is a national strategy guideline developed by the Policy Coordination and Advisory (PCAS) section of the presidency. It seeks to reconfigure apartheid spatial relations and implement spatial priorities in ways that meet the stated goal of providing the basic services to all and alleviate poverty and inequality, and it also aims to focus government investment in areas to both infrastructure for economic development and capital from human growth investment.

#### LED/NSDP

Provide a framework within which to discuss the future development of the national space economy by reflecting the localities of severe deprivation and needs, of resource potential, of infrastructure endowment, and of current and potential activity by describing the key social, economic and natural resources trends and issues shaping the national geography;

Act as common reference point for national, provincial and local governments to analyses and debate the comparative development potentials of localities in the country by providing a course grained national mapping of potential;

Identify key areas of tension and/or priority in achieving positive spatial outcomes with government infrastructure investment and development spending ;

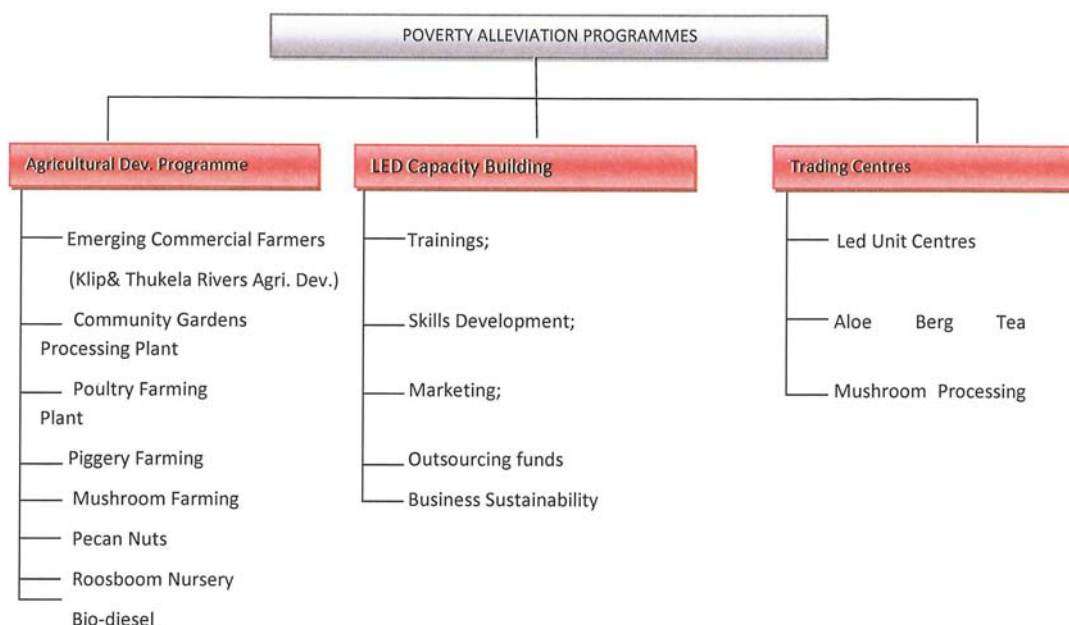
Provides National governments strategic response to the above for a given time frame

The development of the NSDP is an ongoing process of elaboration, refinement and revision that takes into account the dynamic nature of the space economy and of settlement process. There can be no once off document but rather an evolving perspective that is linked to a system of continual spatial monitoring and amendment. It is proposed that although the NSDP represents a national spatial perspective, the process of dialogue about spatial priorities within and between spheres of government will that the perspective will undergo an iterative process of review, refinement and elaboration. This process of review, refinement and elaboration will make full use of the resources of all agencies in all spheres of government to ensure that its understanding of spatial, environmental, social and economic trends enable it to define each locality's potential through a top-down, bottom-up process of dialogue whereby the interpretation of any one agency in any sphere will be tempered by the interpretation of others.

The NSDP is an indicative guideline that will encourage creative interactive and coordination between departments and spheres of government about the nation's spatial priorities. It will function as a basis for discussion and negotiation. The gist of these statements is that the NSDP will function not as a policy that prescribes expenditure choices, but an instrument for discussing spatial development priorities for South Africa within government.

The NSDP is expected to guide discussions around policy and programme co-ordination with regard to infrastructure investment and development spending all spheres of government. It is proposed that decisions regarding infrastructure and development spending made by national, provincial and local government be monitored through existing reporting mechanisms and that current intergovernmental forums be used to influence how future spending may be spatially aligned in accordance with the NSDP principles. In this manner, the NSDP will act as an indicative guideline for spatial planning by the three spheres of government within the framework of co-operative governance.

The NSDP acknowledges that the process of developing IDP's by local government structures, which themselves cover the length and breadth of the country, is a critical element of spatial planning. The assessment of these IDP's and their synchronisation with national spatial development planning will be crucial to the realisation of the NSDP objectives. Thus, at a broader strategic level in terms of the NSDP normative principles, and concretely in the unfolding of PGDs and IDPs, the perspective would find practical manifestation.



### PROVINCIAL GROWTH AND DEVELOPMENT STRATEGY (PGDS)

The PGDS offers a tool through which national government can direct and articulate its strategy and similarly, for local government to reflect the necessary human, financial and fiscal support it needs to achieve these outcomes. It also facilitates proper co-ordination between the different spheres of government and aims to prevent provincial departments from acting without the inputs from local government. It enables intergovernmental alignment and guides activities of various role players and agencies (i.e. Provincial Sector Departments, Parastatals, Districts and Local Municipalities).

Like the IDP process, the PGDS develop a Vision, Mission and Strategies of key importance to the Municipal IDP's however, are the Provincial Priorities. The provincial priorities drive the PGDS programmes, and are derived from the key development challenges related to economic and social needs of the province. The provincial priorities are as follows:

Strengthening governance and service delivery;  
Sustainable Economic Development and job creation;  
Integrating investment in community infrastructure;  
Developing Human capability;  
Developing a comprehensive response to HIV / Aids and;  
Fighting poverty and protecting vulnerable groups in society.

#### **THE PROVINCIAL SPATIAL ECONOMIC DEVELOPMENT STRATEGY (PSEDS)**

The PSEDS flows from the PGDS and is intended as a guide to service and to achieve the goals as set out in the ASGI-SA which is to halve unemployment and poverty by 2014. Principles of development and growth underpinning the PSEDS are summarised as follows:

Government has a constitutional obligation to provide basic services to all citizens including health, education, transport, housing, etc.  
All areas of the province require development  
Certain areas of the province will derive economic growth and the PSEDS attempts to indicate where different types of investment should be directed in order to achieve development and / or economic growth.

#### **The PSEDS therefore sets out to:**

Focus where government directs its investments and development  
Initiatives;  
Capitalise on complementarities and facilitate consistent and focused  
Decision making; and  
Bring about strategic co-ordination, interaction and alignment.

#### **THE ACCELERATED AND SHARED GROWTH INITIATIVE FOR SOUTH AFRICA (ASGI-SA)**

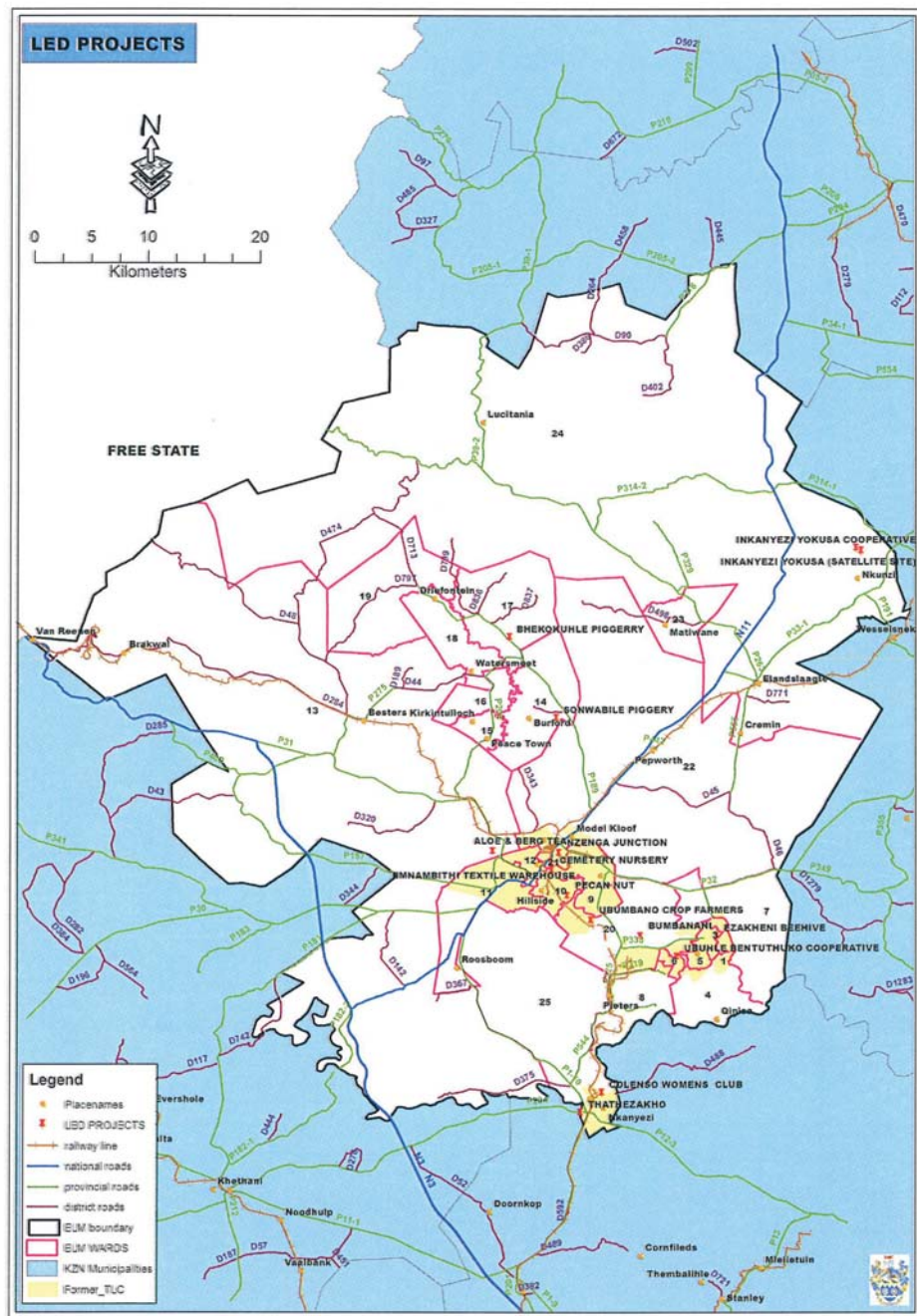
ASGI-SA is a project driven by the deputy president Phumzile Mlambo-Ncguka which attempts to factor in the second economy, particularly youth, women, and people with disabilities. ASGI-SA focus on a set of concrete economic proposals that include a range of initiatives aimed at removing obstacles to economic growth has provided a platform for reviewing strategies for critical interventions towards sustainable development, and empowerment of the poor and mainstreaming them into the mainstream economy.

The programme goal is creation of small enterprise and jobs in the second economy with a focus on the creation of 1 million jobs over a period of five years. The programme objectives are summarised as follows;

Increased employment and income for unemployed or underemployed and Poor people;  
Reduced income gaps in society;  
More productive jobs in villages and small towns to lessen migration to big City slums;  
Economic empowerment of (mainly black) poor women; and  
Address constraints that inhibit economic growth and shared benefits

The intended outcome of the programme is the establishment of viable and sustainable economic enterprises/ businesses that have scope for growing local economies, thereby creating quality jobs and higher income for individuals entrepreneurs, workers and their families.





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## 5. SPATIAL PLANNING

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**“Providing compacted, integrated and sustainable living human settlements offering better and equal opportunities to all society within the municipal space”**

### **GUIDING PRINCIPLES:**

- To abolish legacy of apartheid through compacted and integrates human settlements;
- To ensure that the utilisation of land resources is planned and implemented in an organised manner to meet the present and future generation;
- To guide and direct land uses in a harmonious manner;
- To facilitate efficient public transportation network system;
- To establish and influence the growth trends of the CBD;
- To maintain and enhance pedestrian linkages to and from public transport installation;
- To help residents to enter the housing markets;
- To establish character for precincts and streets through landscaping and appropriate built form controls;
- To promote new and existing developments embracing new urbanism
- To treat land as scarce resource which the future generation must enjoy;
- To retain the ecological integrity;

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### 4.1 HOW DO WE LIVE UP TO THIS COMMITMENT

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#### ACTION PLAN: A- THE STATUS QUO

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The scares left by the apartheid legacy have made it difficult for spatial integration to take place as speedily as envisaged. In 2004 Council adopted the SDF which has been reviewed on an annual basis since then. Depending on the complexity of the tasks identified as areas that needs improvement SDF is reviewed internally. It gives a spatial representation of the IDP. Some of the projects mentioned in the SDF have been financed such as the Formulation of the CBD Regeneration Plan and construction of the mid-block parking in the CBD. This Plan is designed according to the MSA and is also informed by the National and Provincial directives.

#### **Existing Urban Areas**

These are formalized urban areas, which are covered by a Town Planning Scheme. These areas have an urban setting usually with a concentration of economic and administration activities that accommodates the municipal offices, major schools, main police station and magistrate court as well as a large variety of commercial, industrial, and retail outlets. In this town planning scheme several shortfalls and imbalances exists, to name but the few, the need to change nature of certain properties so that they can be established as a Place of Public Assembly. This is a result of an outcry by the different communities; the key interest from these communities is get land that is owned by Council as a reasonable amount and practice religion associated activities. Few of these sites have been identified and we in a process of obtaining Council resolution to dispose off these service sites.

#### **Tribal areas**

The municipality has one tribal area, Abantungwa-Kholwa. This tribal area of the ELM covers a small geographic area within the municipality. However, it is characterized by the highest population densities in the municipality, with densities of up to more than 500 people per square kilometre. This is where the majority of the households reside. This area is characterized by lack of social, economic and bulk infrastructure coupled with an extremely weak economy. The area is classified as a secondary node in the municipal Spatial Development



Framework, that is, the Driefontein Complex. In the IDP this complex has identified this complex as an area of priority spending by the municipality in its Integrated Development Plan. The high densities provide an opportunity for the provision of both infrastructure and social services.

#### **Farmlands**

The farmlands cover a large extent of the municipal geographic area. Population densities are low in the farmlands with densities of up to 20 people per square kilometre. Ward 24,23,8 parts of ward 7 and 13 have significantly low densities of less than 5 people per kilometre square.

Consequently the provision of bulk services proves to be expensive particularly water borne sewage and on site water. This includes the areas of St Chad's, Roodepoort, Roosboom and Elandslaagte amongst others. High levels of mechanization, seasonality and the vulnerability of the agricultural sector to trade liberalization has led to a further loss of jobs in the sector. Thus these areas are to experience decline as their economic base continues to get eroded.

Anecdotal evidence from the Western Cape and the Eastern Cape suggest a tendency for migration to take place from more rural villages to major roads that cross these areas. In this way households manage to maintain a link to a form of rural agriculture. At the same time, they seek to gain from being on a conduit (the road) of buying power in the form of passing traffic, and to facilitate movement to towns and cities with a view of finding employment. Therefore, the physical location of housing development in these areas becomes critical for the sustainability of these settlements.

#### **Urban areas**

The urban areas of Ladysmith geographically occupy a very small area of the municipality. These include the urban areas of Ladysmith, Ezakheni, and Colenso including Inkanyezi. However, these areas are characterized by a high concentration of people as they provide high economic opportunities and social services. Inevitable as a major centre in the district it is characterized by inward migration heightening pressure on urban services. Water shortages are increasingly becoming a problem in Ladysmith. Demand for housing is also high. These settlements are densely populated and can be serviced by both social and engineering infrastructure.

#### **Tourism Battle sites**

These are areas of historical importance where famous and historic battles took place. These areas form part of the Province's Battle site Route, which runs from Zululand, through Amajuba, UMzinyathi, to UThukela Districts and is recognized as an important tourism route. As such this Council receives at least 2 applications for either B&B's or Guesthouses per month. These establishments are also listed in our billboards to inform the users of these facilities of the available accommodation. Council has, to a very large extent assisted these facilities through speedy approval in terms of Town Planning requirements.

#### **Agricultural Areas**

In relation to the rest of the country and to KZN, the size of ELM's agricultural economy is small with the possible exception of livestock sector. Agricultural land within ELM comprises approximately 270 000 km<sup>2</sup>, which represents  $\pm$  3% of KZN agricultural land (if Traditional Authorities areas are included) and 0,3% of that of SA as a whole. The recent estimates of the Gross Geographic contributions of agriculture in the "Klip River District (ELM)" is around 4,5%. Though generally speaking, agricultural performance is declining due to the impact of deregulation, trade liberalization, weakening global and domestic markets, as well as frequent drought conditions and theft, which in turn have caused diminishing profit margins and serious financial problems among farmers.

Agricultural Contributions of ELM compared to other districts in KZN

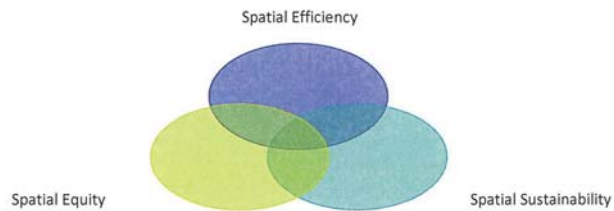
	<b>Total Agriculture</b>	<b>Field Crop</b>	<b>Horticulture</b>	<b>Livestock</b>
ELM ranking out of 40 in KZN	24%	33%	37%	13%
% contr. to KZN Farming income of top 8 districts	55%	66%	27%	48%
ELM % contribution to KZN Agric	1,2%	0,2%	0,1%	2,4%

Source: Statistics South Africa 2001



### Conservation Areas

This is highest priority, it ensures the long terms conservation of natural resource base is surely the highest priority of Government in respect rural areas. The conservation challenges include; combating degradation through erosion, combating the spread of invasive alien species, taking steps to prevent loss of bio-diversity. Several legislations have been passed to deals with these problems, amongst other is NEMA. The Driefontein Watersmeet complex in total covers approximately 30 000ha and to this should be added at least the following major areas, Roosboom  $\pm 1000$ -2000 ha, Pieter's  $\pm 2000$  ha, Steenkoolpruit  $\pm 1000$  ha and Matiwanoskop  $\pm 2000$  ha. This makes for a total in excess of 10% of the entire surface area of the ELM comes which has been severely degraded through dense settlement and the heavy trafficking and grazing pressures which come with it.



## CONCEPT PLANNING

### ACTION PLAN: B- TRANSPORTATION PLANNING

#### **SANRAL INVESTMENT:**

In the spirit of investing in Public Infrastructure as a valuable asset of the community that brings about the sense of place, SANRAL is putting substantial investment into our area of jurisdiction. Over and above the major contribution by SANRAL over the past year, N11 Corridor has been given redefined as a route that acknowledges the role played by both pedestrians as well vehicles. Both users of this Route no longer compete for space as opposed to situation which used to prevail, in essence public is able to move with ease on the paved pedestrian paths. Council is ecstatic that SANRAL's investment was not only limited to upgrading of N11 by constructing pedestrian paths, bus stop and drop-off zones in Limit Hill, but over and above that has initiated a massive project of establishing a major traffic interchange at the corner of Helpmekaar (Provincial Road) and N11 which is a National Route. Project value by SANRAL's first investment was approximately R13 million, the second leg of the their project is the upgrade from the Bergille Toll Plaza, which is estimated to be around R1,3 million. Establishment of an interchange is the third leg of SANRAL's investment into Ladysmith in just 3 years consecutively. This is said to be the biggest public investment next to the Braamhoek Eskom Pump Station located further to the North of ELM area. This project is still on the planning phase and SANRAL being the applicant has commenced with their EIA process as part of the requirements prior to construction of the major interchange. Preliminary designs for this interchange have been drawn and yet to be released to Council for consideration. This traffic interchange will complement and provide easy access to the proposed major mixed use node to be established at the intersection of Helpmekaar and N11 Roads. N11, in terms of the SDF for 2009/10 is identified as a primary corridor and the appearance as well as general amenity of this corridor needs to be substantially improved. The current appearance of this Route is not what is desired from a town planning perspective, in that it does not pronounce the elements of urban modernity. It currently resembles the redundant and neglected image, in contrast to the fact that it is primarily one of the busiest routes used by people travelling to as far as Impumalanga Province. Council supports this development by SANRAL and will engage the Agency to allow for vigorous public participation and further ensures that our local people directly benefit from the project, through temporary job creation and skills transfer. Council is of the opinion that these type of major investments will attract additional investors to the town, create economic spin-offs and there will be further substantial progress in terms town's growth.

### ACTION PLAN: C- MIXED USE NODES

#### **EXTENSION 15 MIXED USE DEVELOPMENT**

With apartheid era leaving scars on the way the spatial patterns are distributed in South Africa, town planners have to deal with this challenge on how to best integrate settlements as a strategy to abolish apartheid planning. As such there seem to be a growing trend in South Africa to establish shopping centres outside the CBD area. There is also a continuous debate among the schools of planning on the impact these commercial centres have on the existing CBD's which were established during the apartheid era and the appearance and functioning thereof evolved over time. The issue that planners sometimes overlook is the sustainability of these shopping complexes, which is enormously constrained by suitability of the location. Proposed within ELM area of jurisdiction in Extension 15 is a major Mixed-Use Node, which consist of shopping complex at the intersection of Helpmekaar and N11 as a catalyst project, specialised land uses, variety of residential components such as medium to high density, active open spaces, etc. This major development is proposed on the vacant major industrial area as per the Ladysmith Town Planning Scheme. The project will be laid on the approximately 410 ha of vacant land and located at the corner of a Provincial and National Routes and extends towards the established and built-up residential township Steadville. The area proposed to be taken up by the project was set aside for the expansion of the Industrial area and has not been utilised from the time when the township was laid.

This study area (Extension 15) contains clamps of wetlands identified through the Municipal Open Space, which will be protected from hard development by the developers. Detailed environmental investigations are underway to determine the extent of wetland where the shopping complex is proposed to be located. The site is predominately gentle on slope with certain Portions of land consisting of steep areas with possibility to be developed for various needs. The developer on board, which is Stedone Investments has stated to Council through progress reporting that the development will be established on different phases. Shopping complex is intended to be the first phase and submission of planning authorisation thereof is imminent. This project commenced in 2006, where Council at its meeting stated that the property is not needed for basic services in terms of the MFMA of 2003, this process entailed public consultation process and neither objections nor representations were received by this Municipality that may have compromised the project. Investors/Developers were therefore, invited to submitted their development proposals, which were ultimately approved by Council. Further public consultation will be explored during the application process which either be in terms of PDA or DFA, whichever is the fastest at this point evolution planning procedures. Advanced discussions between Council and Investors are continuous and to this end it is agreed that the land will be developed through a 99 year Notarial Lease with an option to buy. Careful consideration in terms of the Spatial Development Plan as well as Land-Use Management will be given. The area has been identified a major municipal mixed use node, although there has not been extensive investigation from a planning perspective on the sustainability of this node. Developers, have also been mindful of investing in an area without testing if the market exist in the municipal area and generally the further Northern KZN towns such as Newcastle and so on. This warranted for the market and retail studies to be conducted and the outcome of such crucial documents remain confidential with the investors until such time that they motivate the Need and Desirability of establishing such a major development. Council is in full support of the whole project, particularly the major Regional Shopping Complex which is anticipated to discourage the customers to travel long distances such as Pietermaritzburg to do competitive shopping. Since this was a Council's initiative informed by the need to deliver to the developmental state, there is still full commitment to the success of the project subject to all planning procures being recognised. What makes this development to be distinct from other projects which Council initiated is that it is not constrained by the fact that it is located on the National Route, which may restrict ingress and egress to/from the shopping centre. SANRAL has embraced the goal of this development in that they intend to provide a stop shop along N11 or Helmekear without diverting traffic flow too-much of the



primary corridor, in actual fact the proposed designs by SANRAL for a major intersection accesses and exits the property without interfering with existing traffic flow on the N11 or Helpmekaar. Council is indebted to SANRAL that, it comes to this development as a partner and not just as an authority that facilitates. It will be very interesting if this intersection by SANRAL could be approved during environmental and town planning procedures, which will make this development distinct as compared to other shopping malls such Westwood Mall which recently became operational.



### **EZAKHENI CREST**

National Treasury over a specified period of time has engaged on process of regenerating the former Black Townships with a view to abolish the legacy of apartheid planning and transform these built-up spaces to develop a new image and become people's place, where they can shop, live and interact with each other, whilst realising the need and giving careful consideration of activities that take place on land with a view to preserve and protect land as a scarce resources for future generation. This partnership by National Treasury with municipalities, where one party bring private investors on board and the other provides leverage funding to complement the project. In the same spirit, this Council was awarded R63 million by National Treasury for regeneration of Ezakheni Township. Each year from the time when the project commenced Council is allocated specific funding in terms of DORA. Council is still on the planning phase in terms of the grant awarded by National Treasury, which means that ELM needs to satisfy the Treasury that the commercial node is ideally located and will be sustainable from a planning perspective. To this end Council and National Treasury have different perspective on the location proposed. National Treasury maintains that if they are to provide massive investment to Council such as funding construction of Roads and Bridges that lead to the commercial node, landscaping and street furniture as elements of urbanity, it must be on a well investigated commercial node. As such Council appointed Kv3 Consultants to Review the Regeneration Strategy for Ezakheni, which will then preliminary focus on the identified projects and will be complemented by investigated Nodal Study and subsequently formulation of urban design framework which will consist of artist impressions for land uses

proposed to be established in nodes. There seem to be careful consideration from National Treasury's perspective for a centre to be established within existing and centralised administrative facilities that draw people into the area, in essence this therefore means that development is brought where there is influx of people. Movement of people in this way is carefully regulated in that they converge in one agglomerated area, where they can shop, undertake administrative/social activities and live. This kind of spatial integration of mixed and diverse land-use is viewed from a town planning perspective as one that naturally developed, driven by different circumstances over years and warrants to be formalised through establishment of an area as a node. This will mean that future investment should be directed into and around improving this node.

Planning for development is one of the challenging activities to undertake, it means though the processes of preparing the site may be viewed as JUST it does not pre-empt that the results thereof will be JUST despite market research studies conducted and yielding positive outcomes. Mixed reactions from the public/consumers may emerge, which strains development. Therefore, planners need to be extra-ordinary careful when they distribute land –uses within space land. Council adopted TRS for Ezakheni which laid the following vision:

**“EZAKHENI WHERE YOU CAN WORK AND PLAY IN A SAFE AND ATTRACTIVE ENVIRONMENT”**

The challenge in establishing commercial development to complement the administrative node within Ezakheni will be provision of active open spaces, where people can rest, socialise and enjoy interacting with nature. This vision has been accepted and adopted by Council in 2009. The current TRS under review also identifies strategies on how to achieve the goals and targets that Council has developed in line with Ezakheni Vision.

**ACTION PLAN: C- THE RESIDENTIAL DEVELOPMENT**

**HOUSING DEVELOPMENT**

Low Income housing developments are currently underway within the municipal area and there are plans on the pipeline for additional since some of our settlements are still characterised with informal shacks. Infill development gained popularity since the introduction of the Development Facilitation Act of 1996 which promotes the notion that town planners have a great responsibility to fulfil in transformation of South African town and cities Spatial pattern. It views the process of transforming through the pronounced compaction and integration of diverse land uses within a close proximity to each other. ELM is also no exception to this orthodox of planning and as such intends to fast track the delivery of housing to people with a view to eradicate the huge backlog. Housing backlog in this Municipality is further exacerbated by migration patterns that continue to be a challenge in addressing the housing backlog. Indeed Council is not only focusing on the speedy delivery of housing which was the short fall of the South African Housing Policy on commencement. We strive to ensure that the houses that are delivered to the community are of good quality and an asset that people can improve and use as collateral when applying for bank loans. There are conflicting ideas from the schools of thought when it comes to tackling poverty issues, one of the most popular ideology by Henry De Soto, a renowned International Economist that wrote *'The Mystery of Capital'* is that people should be given land ownership rights so as to allow them to enter and grow through the ladder in the housing market. Council is also mindful not to concentrate on a particular housing market but also to start tapping into the Housing Gap Market which caters for the R7500-R15000 Market.

As such a brilliant concept was introduced by Developers of the Area called *'Mkhamba Gardens'* located on the North of the Ladysmith urban area. Housing market for this area is the previously disadvantaged, mainly those that are coming from the former black townships are now staying approximately 2 km from the CBD as opposed to 25 km's from places of works and administration centres which was previously the situation. Moreover, working class, the middle class in particular who previously did not own any property, also get an opportunity to be accommodated in this area, subject to bank approvals. Council rates this initiative by private developers as great success, where they continuously manage to produce quality houses with affordable bond repayments. The development kick-started as Mkhamba Phase I and the introduction of Phase II was a complete face uplift of the previous phase with the concept of modern designs such as Tuscany. However, once this settlement was in operation storm water problems erupted, where properties get flooded because of the over flow and uncontrollable spillage of water each time there are heavy rains. Counter accusations of whether is the



responsibility of Council in terms of maintaining the area or the designs standards by developers are of poor quality are being debated amongst the professionals in the municipality. To this end Council will support any housing development that is sound and satisfies all concerns that may be raised by both users of the settlements and Council. This therefore, means that any housing development proposed to be established must first be submitted to Council for approval and support and ultimately to any relevant development bodies such as the DFA Tribunal for final approval. Council is in support of good working relationship between ourselves as Council and Tribunal, since at the end of it all it is Council that will inherit all the problems that may be created by the development once the services have been handed over to Council.

Stormwater problems is not only on the above mentioned areas, but seem to be a growing concern of most of the residents in the municipality. This emerged during the IDP community meetings that even the rural areas are complaining about the flow of water into their properties. It is this concern that has made Council to include construction and maintenance of storm water measures amongst the priorities for current and future planning. The new planned settlement must also be balanced as well and supported by the necessary community facilities such parks, schools, crèches, etc. The office of the Municipal Manager has been undated with request from parents of the young people residing in Ladysmith when schools have to re-open at the beginning of year. They have critiqued management of the municipality for poor planning and failing to forecast that there will be shortage of schools in the urban area especially High Schools. The trend from parents is to accommodate their children in Schools located in urban areas, as they perceive these to have better education opportunities as compared to the townships and rural areas. It is therefore a difficult situation for this Council, since Department Of Education does not actively participate during IDP Sector meetings, which is the correct platform to raise all these comments gathered at IDP community meetings. Department of Education has generally being labelled by most municipalities in KZN for non cooperation on IDP matters regardless of investigations as well as one-on-one meetings. When ever, this Department is available to meet IDP managers, they send junior staff who are not in a position to take decision and commit the department. During last year's IDP assessment similar issue was raised and there was an agreement that the Office of The Premier will take up this issue, but unfortunately to this end Council is still battling. Over and above projects that are currently underway, Council in terms of delivering to its developmental state planned several housing developments



Govt. Policies	ELM SDF RESPONSE
<b>PROVINCIAL GROWTH AND DEVELOPMENT STRATEGY</b>	
<b>Partnerships:</b> Developing a wide range of effective partnerships, working with national and local government, the business community and civil society, and building on their respective strengths; <b>Coordination:</b> Creating an enabling environment for implementation of coordinated programmes with stakeholders in developing and implementing strategic interventions; <b>Sustainable use of natural resources:</b> Application of sound environmental principles and responsible environmental management for long-term socio-economic development, as no real growth can occur without natural resources conservation; <b>Communication:</b> Commitment from role players is only possible through effective communication; and <b>Implementation, Monitoring &amp; Evaluation:</b> It is necessary to implement well designated and effective implementation plans which are linked to targets, milestones and timeframes	<ul style="list-style-type: none"> <li>• Strengthening governance and service delivery;</li> <li>• Sustainable economic development and job creation;</li> <li>• Integrating investment in community infrastructure;</li> <li>• Fighting poverty and protecting vulnerable groups in society;</li> </ul>
<b>ACCELERATED AND SHARED GROWTH INITIATIVE FOR SOUTH AFRICA</b>	
Accelerated growth in the economy to more than 4,5% in the period 2009, and more than 6% from 2010 to 2014; Reduce the gap between the 1 <sup>st</sup> & 2 <sup>nd</sup> economy and halve poverty and unemployment by 2014 Ensure that social security reaches all who are eligible	<ul style="list-style-type: none"> <li>• Rationalise the economic space with an intention to contribute in the accelerated growth in the economy to more than 4,5% in the period 2009 and more than 6% from 2010 to 2014;</li> <li>• Reduce the gap between the 1<sup>st</sup> &amp; 2<sup>nd</sup> economies, and halt poverty and unemployment;</li> <li>• Ensure that social security reaches all who are eligible</li> </ul>
<b>NATIONAL SPATIAL DEVELOPMENT PERSPECTIVE</b>	
Overcome the <b>spatial imbalances</b> of apartheid, future settlement and economic development opportunities should be channelled into activity corridors and nodes that are adjacent to or that link to the main growth centres Rapid economic growth that is inclusive and sustained is a pre-requisite for the achievement of other policy objectives, of poverty alleviation is fundamental. A set of principles and mechanisms to guide infrastructure investment and development decisions;	<ul style="list-style-type: none"> <li>• Provision of basic services to all citizens wherever they currently are located;</li> <li>• Focus spending on localities of economic growth or economic potential in order to leverage private sector involvement;</li> <li>• Efforts to address past and current social inequalities are focused on people, and not on places;</li> <li>• Overcome the spatial imbalances of apartheid, future settlement and economic development opportunities are channelled into activity corridors and nodes are adjacent to or that link to the main growth centres.</li> </ul>
<b>PROVINCIAL SPATIAL ECONOMIC DEVELOPMENT STRATEGY-PRIORITY SECTORS</b>	
Agricultural sector (incl agri-processing) and land reform;	<ul style="list-style-type: none"> <li>• Emnambithi area is identified as a provincial tourism priority area as part of the cultural sector and battlefields route sub-sector. The SDF seeks to develop this further.</li> </ul>
Industrial sector	<ul style="list-style-type: none"> <li>• In terms of industrial development, the corridor linking the two nodes of Ladysmith and Newcastle, and extending to Gauteng, from a secondary zone of industrial potential. The SDF seeks to develop this further</li> </ul>

Tourism sector	<ul style="list-style-type: none"><li>• In terms of tertiary/ service sector, the ELM is identified as a 3<sup>rd</sup> order node. It is also noted that such nodes are imperative to supporting development in poor rural areas. The SDF builds on these issues.</li></ul>
Service sector	
<b>WHITE PAPER ON SPATIAL PLANNING AND LAND USE MANAGEMENT</b>	
Land Use Regulatory	<ul style="list-style-type: none"><li>• Stipulate guidelines for Land Use Management;</li></ul>
IDP based spatial planning	
Uniformity in the set of procedures for land development approvals	
National spatial planning frameworks	
<b>KWA-ZULU NATAL HERITAGE ACT</b>	
"No person may demolish or alter any structure or part of a structure which is older than 60 years without a permit issued by the relevant provincial heritage resource authority"	<ul style="list-style-type: none"><li>• It reaffirms the need to comply with these set of regulations</li></ul>
Densifying existing urban nodes in appropriate locations Strengthening secondary service centres Identifying and implementing development corridors Ensure more efficient use of infrastructure Promoting a more appropriate land use mix Giving preference to those land uses that will assist in achieving the Municipality's Vision and particularly the local economic development and environmental objectives. Preserving high quality agricultural land Promoting diversity in land use, especially in and around the nodes Ensuring that environmental objectives are taken in to account in the formulation and adjudication of development proposals Creating an environment conducive to small entrepreneurs Optimizing the inherent tourism and recreation potential of the area	<ul style="list-style-type: none"><li>• SDF fully subscribes to these all these principles</li></ul>

Councils goes beyond providing theoretical information on the SDF and makes this plan a vibrant future development guide of the municipality that talks to all programmes and projects within a municipal space. As such Council has appointed Consultants that are busy doing the Strategic Environmental Management Plan due for completion in June this year.

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## 6. ENVIRONMENTAL PLANNING AND MANAGEMENT

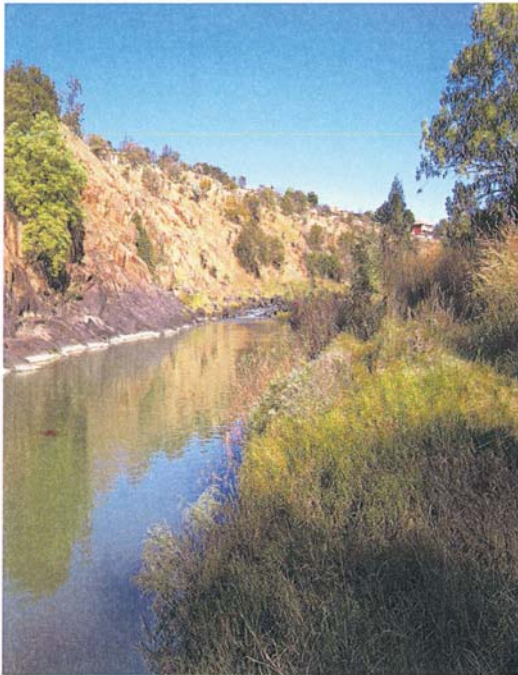
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### Environmental Conservation Act

The Environmental Conservation Act (No. 73 of 1989) is intended to provide for the effective protection and controlled utilisation of the environment. Part five of the Act refers to the control of activities that may have a detrimental effect on the environment. Section 21 of the Act refers to the Minister being permitted to identify those activities, which in his opinion have substantially detrimental effects on the environment, whether in general or in respect of certain areas. Any change in land use from agriculture, or undetermined use, to any other land use, and any use for nature conservation or zoned open space to any other land use, is subject to a mandatory EIA (Environmental Impact Assessment).

Act No 73, 1989, Part VIII, Section 31, provides that:

If in the opinion of the Minister (of Environmental Affairs and Tourism) the competent authority, local authority or the government institution concerned, any person performs an activity, or fails to perform any activity as a result of which the environment is, or may be, seriously damaged, endangered or detrimentally affected, the minister, competent authority, local authority or government institution, as the case may be, may be in writing direct such person to cease such activity; or to take steps that the Minister, competent authority, local authority or the government institution may deem fit within a period specified in the directive, with the view to eliminating, reducing or preventing damage, danger or detrimental effect.



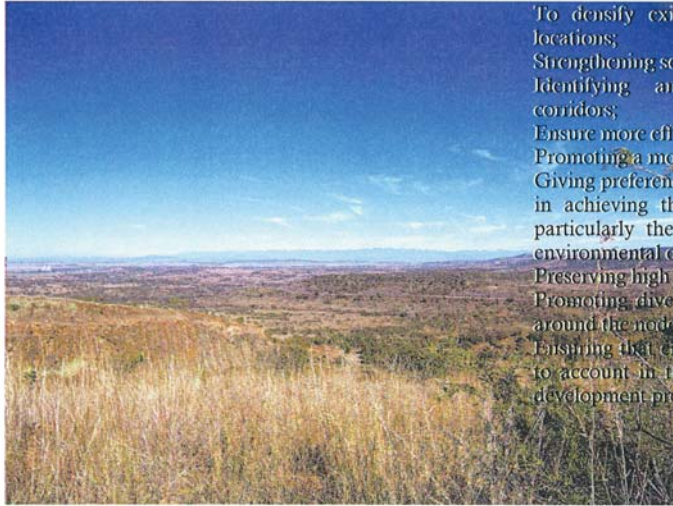
### National Environmental Management Act

The National Environmental Management Act (No. 27 of 1998) was drawn up to provide for co-operative, environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote co-operative governance and procedures for co-ordinating environmental functions exercised by organs of state; and to provide for matters connected therewith.

Section 28 of the Act that falls within Chapter 7 – Compliance, Enforcement and Protection can be related to future developments. Part 1 of the Chapter focuses on environmental hazards and Section 28 relates to the duty care and redemption of environmental damage. Section 28 provides that every person who causes, has caused, or may cause, significant pollution or degradation of the environment, must take reasonable measures to prevent such pollution or degradation from occurring, continuing or reoccurring or, insofar as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment.

Though ELM amongst other municipalities is characterized with skewed settlements patterns, we do not shy away from this; we align our thinking and practice with the modern day planning legislations enacted over the recent year. We do not compromise in ensuring that we continuously practice the following:





To densify existing urban nodes in appropriate locations;  
 Strengthening secondary service centres;  
 Identifying and implementation development corridors;  
 Ensure more efficient use of infrastructure;  
 Promoting a more appropriate land use mix;  
 Giving preferences to those land uses that will assist in achieving the vision of the Municipality and particularly the local economic development and environmental objectives;  
 Preserving high quality agricultural land;  
 Promoting diversity in land use, especially in and around the nodes;  
 Ensuring that environmental objectives are taken in to account in the formulation and adjudication of development proposals;

PLEASE REFER TO THE ATTACHED ELM STRATEGIC ENVIRONEMNTAL MANAGMENT PLAN

## 7. INFRASTRUCTURE PLANNING AND MANAGEMENT

**“Invest on the development and maintenance of infrastructure through Municipal Initiatives that meets built environment standards as a path to have Emnambithi/Ladysmith Municipality to be a vibrant, industrial, commercial, trade and tourism interlink, where all residents enjoy a prosperous, caring, safe and secure environment which promotes cultural diversity”**

### GUIDING PRINCIPLES:

- To implement projects by making use of limited resources with the funding provided within the stipulated time frame placing emphasis on providing the local communities with quality services that will contribute in improving their quality of life.
- To ensure that the building environment conforms to all legislative requirements.
- To take necessary action to encourage compliance within the built environment in order to ensure that Emnambithi/Ladysmith becomes a vibrant, industrial, commercial, trade and tourism interlink, where all residents enjoy a prosperous, caring, safe and secure environment, which promotes cultural diversity;
- To provide infrastructure that is of structural integrity;
- To pushed back all frontiers of poor infrastructure to promote a safe environment;
- To maintain public infrastructure as a valued asset of public;
- To protect our natural environment to equally benefit the future planning;

**“Ensuring safety and secure environment for all and also promote social justice”**

### GUIDING PRINCIPLES:

- To promote safety while travelling on Municipal Roads and Pedestrian Paths;
- To enforce the Law within the area of jurisdiction;
- To protect the public from natural and man-made disasters;
- To ensure the security of staff while working in the premises of the municipality;
- To implement and monitor effective security system

### 7.1 HOW DO WE LIVE UP TO THIS COMMITMENT

#### ACTION PLAN: A

**Energy and Electricity:** Huge land parcels of the municipality are regard as rural and need to electrified. In partnership with Eskom who is busy implementing electrification projects within the municipal area. At the same time O&M budget is used to finance upgrade in infrastructure particularly the urban areas. The electricity crisis that the country faces has advocated the imperative need to switch the ways in which business is conducted. Currently Council going on tender to call consultants who will design street poles that live from natural energy. Council will also be taking over the Street lights maintenance of Ezakheni township. According to the budget for the next financial year the following areas will be electrified; Pieters area, Mcitsheni area; St.Chads area, Mthandi area, Zwelisha area and Nkunzi. Over and above that Council received grant from DME for connection. According to the business plan the funding will be spent on doing 248 connection in Thembalihle; 50@ Umbulwane; 50@ Steadvile Area D; 20@ Community gardens; 57@ Area 'J'; 500@ Area 'H'; 184@ Area 'E'. All in all these projects will take R21,876,000,00 in totality. The intention is to give access to electr. by 2012.

### ACTION PLAN: B

**REDS:** In preparation of REDS Council is currently considering the following:

Operational: Separating the day-to-day business processes and operations of the municipal electricity distribution business from its parent;

Human Resources aimed at ensuring that all employee-related activities within the electricity dept. are considered during the ring-fencing exercise;

Financial: this entails isolation of value assets, liabilities, revenue and costs of the ring-fencing electricity distribution business and the maintenance of the separate chart of accounts;

A lot of work has been done by the Consultant appointed in 2008, EDI Holdings to investigate the implementation of REDS in this municipality and continuous communication between these parties is ongoing. To this end the team has completed the following: Core and non-core processes; Relevant department listing; Contracts and SLA; IM/IT infrastructure components; Policies and procedures.



#### REDS Conti..:

- Large % of electricity vehicles is very old;
- O&M expenditure of Council is relatively low;
- Municipal valuer has established a rental of R536 000 pa for the electricity complex which presently belongs to the municipality;



- Unfunded liabilities in respect of post retirement medical aid contributions presently R405 594 pa;
- Theoretical bank balance amounts to R31 821 770,00;
- Call deposits apportioned to electricity department is R5 184 432;
- Revenue billing information and sales statistics not readily available.

In future Council needs to budgeting and cost allocation should be based on electricity as a ring-fenced entity as far as possible.

#### ACTION PLAN: C

**CAPACITY:** As mentioned earlier in this report that a post for the Executive manager Infrastructure was vacated last year, however, the staff member who was second in charge is acting on the position. The post has been advertised and waiting to be filled. The vacant posts of electrical technicians were filled during the course of last year. These staff members enrol in different short courses to upgrade the skills. The fact that Council is taking over Ezakheni Street lighting maintenance is key and electricity has to be well prepared for such major responsibility. Eskom would have not devolved this responsibility had it not been the confidence they had on the capacity of staff to do the job. This vindicated the alignment between the council's electrification programmes and Energy Sector Plan.

#### ACTION PLAN: D

**Engineering Plans..:** Council has realised that the Spatial Development Plan without the influence of the transportation plan is inadequate and as such is busy with the Consultant that is packaging the Local Integrated Transport Plan. The growth of the town has proven that there is dire need to have such plan in place in order to advise on sustainable modes of transport. The Threat posed by global warming has proven beyond reasonable doubt that our transportation system gradually has to be improved in order to eradicate poisonous emissions discharged to the air. Moreover, since environmental issues have become a core to IDP of this Council, a group of specialists has been appointed to put together an Integrated Waste Management Plan since the life span of the current land fill site is eminent. The location of the existing land fill site is also a challenge since it is located 2km from the fully built up settlements and the Dept.of Agriculture has raised its concerns with this site. 3 Candidate sites have been approved by Council and these sites need to test in terms of Geo-Tech and Hydro Investigations. Through O&M budget natural resources of Council such as the Klip River are continuous. Much progress has been made in keeping the existing site in an acceptable manner, since this competency was transferred from Economic Development to Engineering. Project called Siyazenzela first piloted by the Dept of Transport to target the disadvantage group to collect refuse, deposit it into the central place where Council will pick it up and discharge at the land fill site has been very successful such that Council now budgets for it through its own finance. Beneficiaries of Siyazenzela are remunerated with food parcels. All the necessary resources are given by Council to users of this project.

#### ACTION PLAN: E

**Roads:** Rural Roads are financed by MIG funding, which Council has given a clear 3-year programme on the construction of these Roads. ELM is one of the few municipalities that spend the financial year MIG allocation. This is evident from the fact that MIG allocation for this current financial year has been depleted already. More information on actual financing of these projects is indicated on Section 7 of this document. Council implemented a project since last year for the tarring of Roads in Ezakheni township which is financed internally. This project is continuous and allocation for the next financial year has been set budgeted for. In total Council is looking at spending R16,605,917 for all the projects. Since Ezakheni is getting a new township face uplift, Council is in a process of putting all the necessary infrastructure in place such as swimming pool, sports complex, cricket pitch, sports ground to form an integrated recreational node. All of it is expected to be operational before the end of the upcoming financial year.

On the other hand trenches dug by Uthukela Water when fixing burst pipes and poles are funded through O&M budget. The status of our local Roads is major concern of the public in urban areas. The frequency of the burst pipes on the other hand has created maintenance havoc for this Council. Council has been approached by SANRAL to investigate an upgrade of the Helpmekaar and N11 traffic interchange. This process ignited following negotiations and imminent establishment of a Regional Shopping Mall along Helpmekaar Provincial Road. The project is still at the feasibility level and not costing and designs have been produced so far. However, this will be highly welcomed by ELM in terms of infrastructure development. The investment injected by SANRAL to this Council so far, especially the upgrade in the form of pedestrian foot-paths on N11 is highly appreciated. The Small Town Rehabilitation Grant received in this financial year has reinforced preservation of the image of this town. In total the grant is 24M. R2.2 from that amount is for the construction of pavements and midblock parking in the CBD, since parking space has proved to be challenge in the CBD. Both these projects are 90% complete. After constructions have been completed, CBD will no longer be the same as before.

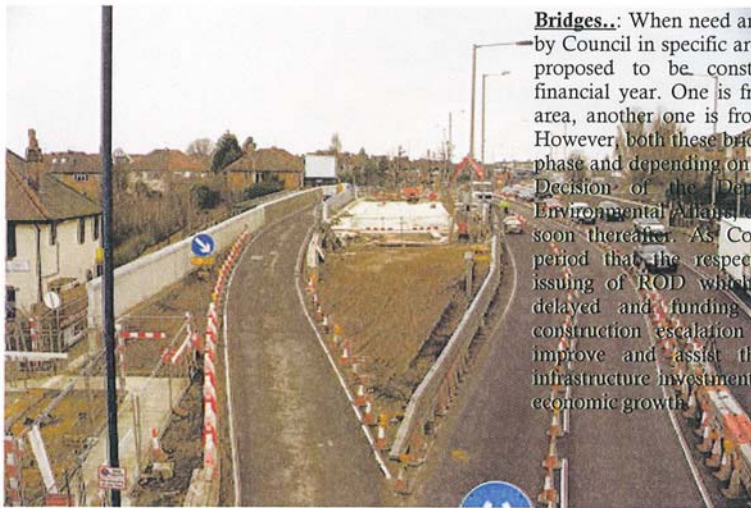
#### ACTION PLAN: F



**Stormwater..:** Stormwater seems to be a huge challenge in the CBD. This problem even extends to residential settlements, where people's houses within the close proximity to the CBD are flooded. Lyllel Street which is the preferred Routed that links Newcastle with Pietermaritzburg is constantly

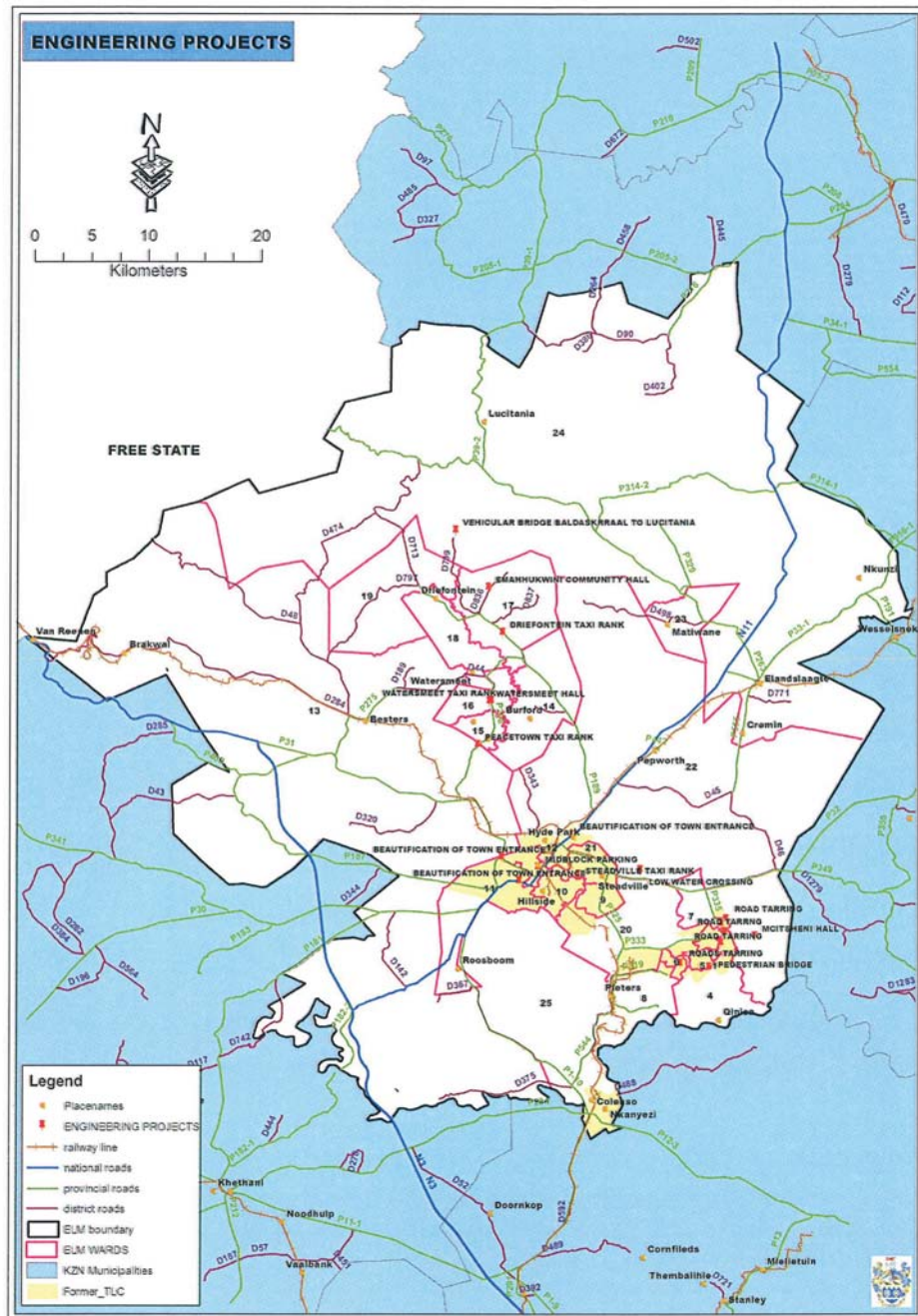
flooded when even the area experiences heavy rains. This Road becomes N11 on the edges and is the responsibility of SANRAL to maintain. It is hoped that negotiations with SANRAL will lead into this Route being brought to standard regarding storm water maintenance. This should not take place since Council progressed substantially and with the assistance of Water Affairs built a Dam as a corrective measure to redress the flooding of the CBD as used to be the case 8 years ago. Lately the residents of Umkhamba Residential area which is close to the CBD is also suffering from the spillage of water every time the are experiences rains. Arguments between developers and Engineers that it is either the maintenance issue by the municipality or the type of piping installed by the developer with a view to reduce construct costs have sparked. During IDP public participation it was also uncovered that even the rural areas are facing the same challenge of uncontrolled storm water. By and large storm water seems to be big and yet not emphasised problem of this Council.

#### ACTION PLAN: G



**Bridges..:** When need arises bridges are constructed by Council in specific areas. As it is two bridges are proposed to be constructed in the upcoming financial year. One is from Ezakheni to Esidakeni area, another one is from Watersmeet to Burford. However, both these bridges are still at the planning phase and depending on the receiving the Record of Decision of the Department Agriculture and Environmental Affairs, construction will commence soon thereafter. As Council we cite the lengthy period that the respective Department takes in issuing of ROD which results in projects being delayed and funding becoming inadequate to construction escalation costs. The Dept. should improve and assist the municipality to grow infrastructure investment as one of key elements of economic growth.





#### ACTION PLAN: H

**EPWP:** Construction and maintenance is being undertaken using local skills and most of these projects are done in house. For instance the construction of Ezakheni Roads is one of the EPWP with internal supervision. Considering the scale and number of projects that this Dept. handles, vacant posts require to be filled urgently. Such posts include a vacated vacancy by the PMU Manager who was also the building control Officer for the Council. This section is key to successful implementation and completion of projects. These technical Engineers are qualified academically with Degrees from accredited institutions. Equipment used in this department is not adequate to satisfy all projects simultaneously, that means that there is direct competition amongst the resources. Sometimes projects will also be distracted by emergency plans. However, Council strives to meet the deadlines, which sometimes mean approval of overtime. Reduction on overtime whilst is the good measure, but at the same time it has caused some projects not to be completed within timeframes. To this end Council is doing its best with limited resources and appreciates the work of engineers in this municipality.

#### ACTION PLAN: I

**Indigency:** People that cannot afford to pay rates register for indigency and are exempted from payment of rates. Free Basic Energy Gel and stoves are for given to these people for both heating and cooking. Free basic energy largely applies in rural areas and budgeted through municipal own finance.

#### ACTION PLAN: J

**SAFETY AND SECURITY:** Street naming for Ezakheni and Steaville townships has been prioritised by Council for the next financial year. This is both maintenance and construction of new street names for ease of orientation by Road users.

#### ACTION PLAN: K

**TRAFFIC CALMING MEASURES:** Where and when necessary subject to the availability of funds Council construct decent traffic calming measures. Transportation system for this town is said to be one of the few road users will find in town of a similar scale. It is the one way system that public has objected to during IDP meetings, particularly by those leaving in urban wards. Transportation plan under compilation will evaluate functionality of this transportation system and make recommendations to Council.

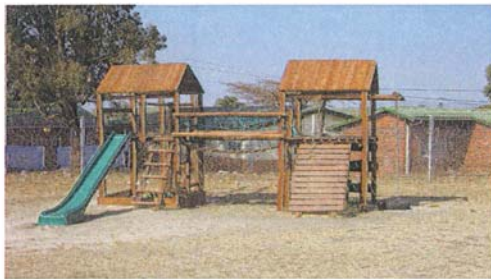
#### ACTION PLAN: L

**CCTV CAMERAS:** Investing in safety of the people within this municipality is amongst the top priorities of Council, which is why next financial Council will be spending a lot of money for installation of wireless CCTV cameras. Not only are cameras projected in urban areas, but also in townships such as Steadville and rural areas.

#### ACTION PLAN: M

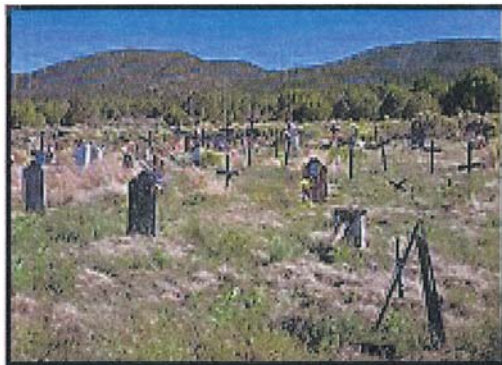
**SPEED TRAPS:** ELM is notorious for law enforcement, since these also means obeying the rules of the Roads In N11 alone at least three speed traps are projected and Council has made substantial progress in collecting monies owed to the municipality for traffic fines. In actual fact this one of the top five sources of income for the municipality. New types of speed traps are being installed currently since expirer of the old 5 year contract.





**Recreational Facilities..:** Parks: Council established mini-parks in township and urban wards. Old play equipment has been repaired in house using O&M budget. The new equipment is manufactured in house and installed in all the parks that are in need. So far 7 mini-parks have been established in different wards. These new parks are now operational and maintenance plan is in place.

#### ACTION PLAN: N



**Cemeteries:** Council prioritised establishment of a new cemetery site in Ezakheni since the functional cemetery is soon to reach a life span. At this end a Property owned by the Ingonyama Trust is being test for Hydro and Geo-Technical Investigations. Ingonyama Trust has given positive response so ownership acquisition of this property subject to market related value being attached and paid by the municipality. Digging of burial spaces has also been extended to rural areas. During the next financial year the scope of cemetery plan will be extended to cover establishment of cemeteries in rural areas. For the next financial year Council will construct fencing and ablution facilities for the established cemeteries namely; Ndomba and Bluebank.



#### ACTION PLAN: O

**Sports Grounds:** ELM jointly with department of Sports and Recreation and MIG provide sporting facilities to areas that are in need of such facilities. Existing sports grounds are graded every year and at least 20 new ones are also established in townships and rural areas. Internally manufactured equipments such as goal posts (netball and soccer) complimented with seating stands. It is interesting to observe that people are making use of these facilities and Council's money is not wasted.

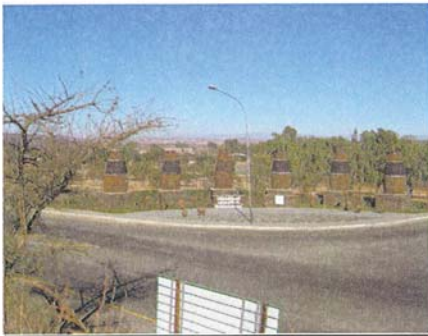
#### ACTION PLAN: P

**Stadiums:** With additional funding from the dept of Sports, Council has extended the extent of Ezakheni Sports Stadium and at the same time established combi courts (basket ball and tennis court.) In Kandahar ground installed a new irrigation system, concrete fencing of Limit Hill Sports ground and upgraded change rooms similar also applies for the Acaciaville grounds.

#### ACTION PLAN: Q

**Swimming pools:** 3 swimming pools are going to be upgraded in the next financial year (Town, Limit Hill and Agra pools). Council is launching a new programme in partnership with the Department of Sports, where school children are being taught swimming lessons at no charge to the. Children from the rural areas are provided with transport at cost to council to come and swim in the nearest swimming pools. Trained lifeguards provide training to the students

#### ACTION PLAN: R



and whilst preserves the image of the town. Ladysmith is largely associated with Arts and culture, since it is the home of the world renowned Ladysmith Black Mambazo. It is also complimented with rich history of Anglo-Boer War that took place centuries ago.

**Building Improvements:** Council has introduced a new principle of enticing all building within the CBD to revamp the aesthetic appearance of the buildings by reducing rates. This policy will be implemented in the upcoming financial year as part of the CBD Regeneration Strategy..

**Landscaping and Aesthetics..:** A regional park known as Wimpy Park is under major face uplift and 6 million is being injected to this popular park located on the entrance of the town along the Durban N11. The work is 80% complete. Urban greens such as palm trees are being planted in strategic areas of the CBD. The challenge is that strategic corridors that had been identified for this contain a lot of underground cables that are close to the surface. After June this year, entrances to Ladysmith town will never be the same. These entrances pronounce designs of urban modernity



